

**EDEN CITY COUNCIL
REGULAR MEETING AGENDA
August 17, 2021 at 6 p.m.
Council Chambers**

1. Meeting called to order by: Neville Hall, Mayor
2. Invocation: Joe Seay, Pastor, Spray Baptist Church
3. Pledge of Allegiance: Led by Todd Harden, Fire Chief
4. Proclamations & Recognitions
 - a. Presentation to Hospice by Eden Professional Firefighters Association Local 2723
5. Roll Call
6. Set Meeting Agenda
7. Public Hearings
 - a. (1) Consideration of a zoning map amendment request and adoption of an ordinance to rezone property on Sanderlyn Court and Peppermill Trail identified by the Rockingham County Tax Dept. as PIN 7978-0068-0616, PIN 7978-0058-8513, PIN 7978-0058-8770, PIN 7978-0058-9561 and PIN 7978-0068-8552 from Residential 12 to Residential Mixed Use. Submitted by Kenan Wright, representative for the property owners, Casteen Developers, LLC, and The Wright Company of NC, Inc. Zoning case Z-21-13. **Kelly Stultz, Director of Planning & Community Development**

(2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment rezone property on Sanderlyn Court and Peppermill Trail as stated in a(1).
Kelly Stultz, Director of Planning & Community Development
 - b. (1) Consideration of a zoning map amendment request and adoption of an ordinance to rezone the property located at 312 Bridge St. from Business General to Residential 12. Submitted by Matthew and Florence Smith, property owners. Zoning case Z-21-14.
Kelly Stultz, Director of Planning & Community Development

(2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment to rezone the property located at 312 Bridge St. as stated in b(1).
Kelly Stultz, Director of Planning & Community Development
 - c. (1) Consideration of a zoning map amendment request and adoption of an ordinance to rezone property at 1128 and 1130 Friendly Rd. from Residential-Agricultural to Heavy Industrial. Submitted by Lawrence Matthew Hall, property owner. Zoning case Z-21-15.
Kelly Stultz, Director of Planning & Community Development

(2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment to rezone the property located at 1128 and 1130 Friendly Rd. as stated in c(1).
Kelly Stultz, Director of Planning & Community Development
8. Requests and Petitions of Citizens
9. Unfinished Business
10. New Business:
 - a. Consideration to ask the City Clerk to investigate the sufficiency of an annexation petition for property located at 7845 NC 770. **Kelly Stultz, Director of Planning & Community Development**

- b. Consideration to adopt a resolution to ask NCDOT to study the feasibility of a roundabout at the intersection of Washington Street, Boone Road and Bridge Street.
Kelly Stultz, Director of Planning & Community Development
 - c. Consideration for approval of the final phase of the Berry Hill waterline including the financing thereof. **Terry Shelton, Project Manager**
11. Reports from Staff:
- a. City Manager's Report. **Jon Mendenhall, City Manager**
 - b. Report on advisory committee proceedings:
 - (1) Strategic Planning Commission. **Staff Advisor Cindy Adams**
 - (2) Planning Board. **Staff Advisor Kelly Stultz**
 - (3) Parks Commission. **Staff Advisor Terry Vernon**
12. Consent Agenda:
- a. Approval and adoption of the (1) July 20 regular meeting and (2) July 22 special minutes.
Deanna Hunt, City Clerk
 - b. Approval of FY 2021-22 Street Resurfacing Contract No. 1.
Tammy Amos, Director of Transportation Engineering, and Kevin London, Engineering Technician
 - c. Adoption of supplemental policies for CDBG-NR.
Kelly Stultz, Director of Planning & Community Development
 - d. Adoption of supplemental policies for CDBG-CV.
Kelly Stultz, Director of Planning & Community Development
 - e. Adoption of an Emergency Paid Sick Leave Policy to extend through June 30, 2022.
Tammie McMichael, Director of Finance & Personnel
 - f. Succession planning in the Planning & Community Development and Engineering departments.
Jon Mendenhall, City Manager
13. Announcements
14. Closed Session:
- a. Closed sessions pursuant to North Carolina General Statute 143-318.11 (a) (4) Economic Development, (5) Acquisition of Real Property, and (3) Legal.
15. Adjournment



Planning and Community Development Department

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: Jon Mendenhall, City Manager
From: Kelly K. Stultz, AICP, Director
Subject: **Zoning Case Z-21-13 – Sanderlyn Court and Peppermill Trail**
Date: August 4, 2021

The City has received a zoning map amendment request filed by Kenan Wright, Representative for the property owners, Casteen Developers, LLC and The Wright Company of NC, Inc. to rezone properties on Sanderlyn Court and Peppermill Trail. The request is to rezone the property from Residential-12 to Residential Mixed Use.

The Planning and Community Development Department recommends approval of the map amendment request. At a regular meeting in July, the Planning Board voted to recommend that the City Council approve this request.

CERTIFICATE SHOWING THAT NOTICES WERE MAILED TO THE OWNER(S) OF PROPERTY SUBJECT TO REZONING AND TO OWNER(S) OF ALL PARCELS OF LAND ABUTTING SUBJECT PROPERTY AND/OR WITHIN 100 FEET OF SUBJECT PROPERTY.

RE: ZONING CASE Z-21-13
Sanderlyn Court and Peppermill Trail

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF EDEN:

I, Kelly K. Stultz, Planning & Community Development Director of the City of Eden North Carolina, do hereby certify that notices of the proposed zoning map amendment requested by Kenan Wright, Representative for the property owners, Casteen Developers, LLC and The Wright Company of NC, Inc. to rezone properties on Sanderlyn Court and Peppermill Trail from Residential-12 to Residential Mixed Use were mailed first-class mail to the owners of the property in the proposed rezoning and all property owners adjacent to or within 100 feet of the subject area on the 3rd day August, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand this the 4th day of August, 2021.



Kelly K. Stultz, AICP
Planning and Community Development Director



Rezoning (Map Amendment) Application

Planning and Inspections Department

308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

www.edennc.us

CONTACT INFORMATION

Contact Name Kenan Wright

Contact Address 222 East Meadow Road

City Eden State N.C. Zip 27288

Phone Number 336-623-8481 Email Kenanwright@TRIAD.TWCBC.com

Contact's Property Interest or Legal Relationship to Owner President

PROPERTY OWNER INFORMATION

Property Owner Name The Wright Company of NC Inc

Property Owner Mailing Address 222 East Meadow Road

City Eden State N.C. Zip 27288

Phone 336-623-8481 Email Kenanwright@Triad.TWCBC.com

PROPERTY INFORMATION

Tax Property ID No. (PIN) 797800680616

Deed Book and Page No. Deed Book 20E Page 622

Physical Address Sanderlyn Court

City Eden State N.C. Zip 27288

Year Current Owner Acquired Property 2021 Acreage .2 acres

Public Water Available? Yes No Public Sewer Available? Yes No

Current Use of Property Residential

City Jurisdiction: In-City Limits ETJ

Existing land use/zoning on adjoining properties:

North: R/A

South: R/A

East: R/A

West: R/A

ADDITIONAL INFORMATION

Attach the following documents to this application form:

Recorded deed to the property

Copy of the recorded plat or survey for the property* or A map showing dimensions of the property

*Preferred

PROCESS & FILING INFORMATION

Submission Requirements: Per Article 3 of the Eden Unified Development Ordinance (UDO), every applicant for a rezoning (map amendment) is required to meet with the Administrator in a pre-application conference prior to the submittal of a formal application. The purposes of this conference are to provide additional information regarding the review process and assistance in the preparation of the application. Upon application submittal, the Administrator shall review the application to ensure that it is complete.

Review Process: After review and recommendation of the application by the Administrator, the Planning Board shall review and provide a recommendation to the City Council. Upon receiving a recommendation from the Planning Board, the City Council shall hold a legislative public hearing on the proposal for official action.

Required Application Information: A petitioner must complete this application in full. This application will not be processed unless all information requested is provided.

General Rezoning Requests: These are "general" requests involving a zoning change to an individual parcel of land. The request is to amend or change the City's Official Zoning Map in a certain area from one zoning district to another. "General" rezoning requests are not specific and if approved, any permitted land use within the new zoning district as illustrated in Section 5.06 (Table of Permitted Uses) of the Eden UDO could be permitted.

Conditional Zoning District Requests: Conditional Zoning Districts (CZ) are districts with conditions voluntarily added by the applicant. Conditional Zoning Districts provide for orderly and flexible development under the general policies of this ordinance without the constraints of some of the prescribed standards guiding by-right development. Conditional Zoning Districts may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure. Conditional Zoning District rezonings can include restrictive land uses, site/subdivision master plans and other information as described in Section 3.10 of the UDO.

ZONING INFORMATION

Request Type: General Rezoning Conditional Zoning District

Current Zoning District R-12

Requested Zoning District RMX

If the request is to a Conditional Zoning District this application should be accompanied by an Existing Conditions Map, a Sketch Plan (may be waived by the Administrator as appropriate), and Master Plan; as well as any other plans, drawings, renderings, elevations, maps and documents specifically included as development documents for approval by the City Council. At a minimum, the following should be provided:

1. The underlying zoning districts and a full list of proposed uses consistent in character with those zoning districts. Such use classifications may be selected from any of the uses, whether permitted, by right or with supplemental



Rezoning (Map Amendment) Application

Planning and Inspections Department

308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

www.edennc.us

standards, allowed in the general zoning district upon which the Conditional Zoning District is based. Uses not otherwise permitted within the general zoning district shall not be permitted within the Conditional Zoning District.

2. General traffic routes (external and internal) to and from the development with major access points identified.
3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios and impervious surface ratios as applicable to development type; and land areas devoted to each type of general land use and phase of development.
4. A proposed development schedule if the project is to be phased.

Proposed Land Use(s):

Residential

Proposed Conditions Offered by Applicant:

New zoning will not permit existing and approved
planned development

APPLICANT/OWNER CERTIFICATION

I hereby certify that, to the best of my knowledge, the information on this application is true and accurate, and I hereby petition the Planning Board to recommend and the City Council to approve this application for a rezoning (map amendment).

Applicant Signature Kenan Wright Date 6/29/2021
 Property Owner Signature _____ Date _____

Office Use Only

Staff Member (Initial upon Receipt) _____ Date _____
 Application Number _____ Fee Paid _____



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CONTACT INFORMATION

Contact Name Kenan Wright

Contact Address 222 East Meadow Road

City Eden State N.C. Zip 27288

Phone Number 336-623-8481 Email Kenanwright@TRIAO.TWCBC.com

Contact's Property Interest or Legal Relationship to Owner Partner

PROPERTY OWNER INFORMATION

Property Owner Name Casteen Developers LLC

Property Owner Mailing Address 222 East Meadow Road

City Eden State N.C. Zip 27288

Phone 336-623-8481 Email Kenanwright@TRIAO.TWCBC.com

PROPERTY INFORMATION

Tax Property ID No. (PIN) 797800588513, 797800588770, 797800589561, 797800688552

Deed Book and Page No. Deed Book 1568 Page 2343

Physical Address Sanderlyn Court

City Eden State N.C. Zip 27288

Year Current Owner Acquired Property 2019 Acreage .36, .38, .37 and 31.52 Acres

Public Water Available? Yes No Public Sewer Available? Yes No

Current Use of Property Residential

City Jurisdiction: In-City Limits ETJ

Existing land use/zoning on adjoining properties:

North: RA

South: RA

East: RA

West: RA

ADDITIONAL INFORMATION

Attach the following documents to this application form:

- Recorded deed to the property
- Copy of the recorded plat or survey for the property* or A map showing dimensions of the property

*Preferred

PROCESS & FILING INFORMATION

Submission Requirements: Per Article 3 of the Eden Unified Development Ordinance (UDO), every applicant for a rezoning (map amendment) is required to meet with the Administrator in a pre-application conference prior to the submittal of a formal application. The purposes of this conference are to provide additional information regarding the review process and assistance in the preparation of the application. Upon application submittal, the Administrator shall review the application to ensure that it is complete.

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Request Type: General Rezoning Conditional Zoning District

Current Zoning District R-12

Requested Zoning District RMX

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1. The underlying zoning districts and a full list of proposed uses consistent in character with those zoning districts.
 - Such use classifications may be selected from any of the uses, whether permitted, by right or with supplemental



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standards, allowed in the general zoning district upon which the Conditional Zoning District is based. Uses not otherwise permitted within the general zoning district shall not be permitted within the Conditional Zoning District.

2. General traffic routes (external and internal) to and from the development with major access points identified.
3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios and impervious surface ratios as applicable to development type; and land areas devoted to each type of general land use and phase of development.
4. A proposed development schedule if the project is to be phased.

Proposed Land Use(s):

Residential

Proposed Conditions Offered by Applicant:

New zoning will not permit existing & approved planned development

APPLICANT/OWNER CERTIFICATION

I hereby certify that, to the best of my knowledge, the information on this application is true and accurate, and I hereby petition the Planning Board to recommend and the City Council to approve this application for a rezoning (map amendment).

Applicant Signature Heather S. Wynn

Date 6/29/2021

Property Owner Signature _____

Date _____

Office Use Only

Staff Member (Initial upon Receipt) _____

Date _____

Application Number _____

Fee Paid _____

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING MAP AMENDMENT REPORT
July 19, 2021**

CASE NUMBER:	Z-21-13
EXISTING ZONING DISTRICT:	Residential 12 (R12)
REQUESTED ZONING DISTRICT:	Residential Mixed Use (RMX)
APPLICANT:	Kenan Wright
APPLICANT'S STATUS:	Property Owners (The Wright Company of NC, Inc.) (Casteen Developers, LLC)

PROPERTY INFORMATION

LOCATION:	Sanderlyn Court and Peppermill Trail	
PIN:	7978-0068-0616	SIZE: .2 acres
	7978-0058-8513	.36 acres
	7978-0058-8770	.38 acres
	7978-0058-9561	.37 acres
	7978-0068-8552	31.52 acres
ACCESS:	Sanderlyn Court and Peppermill Trail (Off NC 87)	
LAND USE:	Vacant, undeveloped property	
ZONING HISTORY:	Zoned R12 at time of original ETJ zoning	

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north by undeveloped RA property along Harrington Highway; bordered on the east by a large parcel of RA agricultural property; bordered on the south by a large parcel of RA property containing a farm and single-family residence, and by R12 property containing a single-family attached (townhome) development; bordered on the west (across NC 87) by RA properties containing single-family residences.	
ADJACENT ZONING:	North:	RA
	East:	RA
	South:	RA and R12
	West:	RA

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
PUBLIC WATER AVAILABLE:	No
PUBLIC SEWER AVAILABLE:	No
LAND DEVELOPMENT PLAN (2007):	Traditional Neighborhood
FLOOD HAZARD AREA:	None
WATER SUPPLY WATERSHED:	Dan River Protected Area

STAFF ANALYSIS

The request is to rezone approximately 32.83 acres from Residential 12 (R12) to Residential Mixed Use (RMX). The R12 (and other residential) districts are established for residential development and related recreational, religious and educational facilities. They are intended to act as transitional zoning districts between rural development and the more urban development of the City. These regulations are further intended to discourage any use which would be detrimental to the predominantly residential nature of the areas included within the district. The RMX district is established to accommodate a variety of housing types in a neighborhood setting and is intended to provide areas for higher density residential development near commercial areas such as the BC, NMX and BH districts. The intent is to create higher density residential areas that compliment commercial districts with physical proximity and pedestrian connectivity.

The subject parcels are located around a single-family townhome development located at the intersection of Harrington Highway and NC 87 South. The properties were zoned R12 at the time of original ETJ zoning. The townhome development was already in existence when this area was taken into the City's ETJ. Under the City's current UDO, this type of development would not be allowed in the R12 districts. The RMX district allows for this type of development (townhomes) as well as other higher density residential development, including multi-family (3 or more units), single-family detached housing, and two-family units (duplexes). Staff is of the opinion that RMX zoning would be appropriate for the subject properties due to the existing townhome development and that such development would not be detrimental to the surrounding residential properties.

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

STAFF RECOMMENDATION: **Approval of the RMX request.**



ZONING CASE

Z-21-13

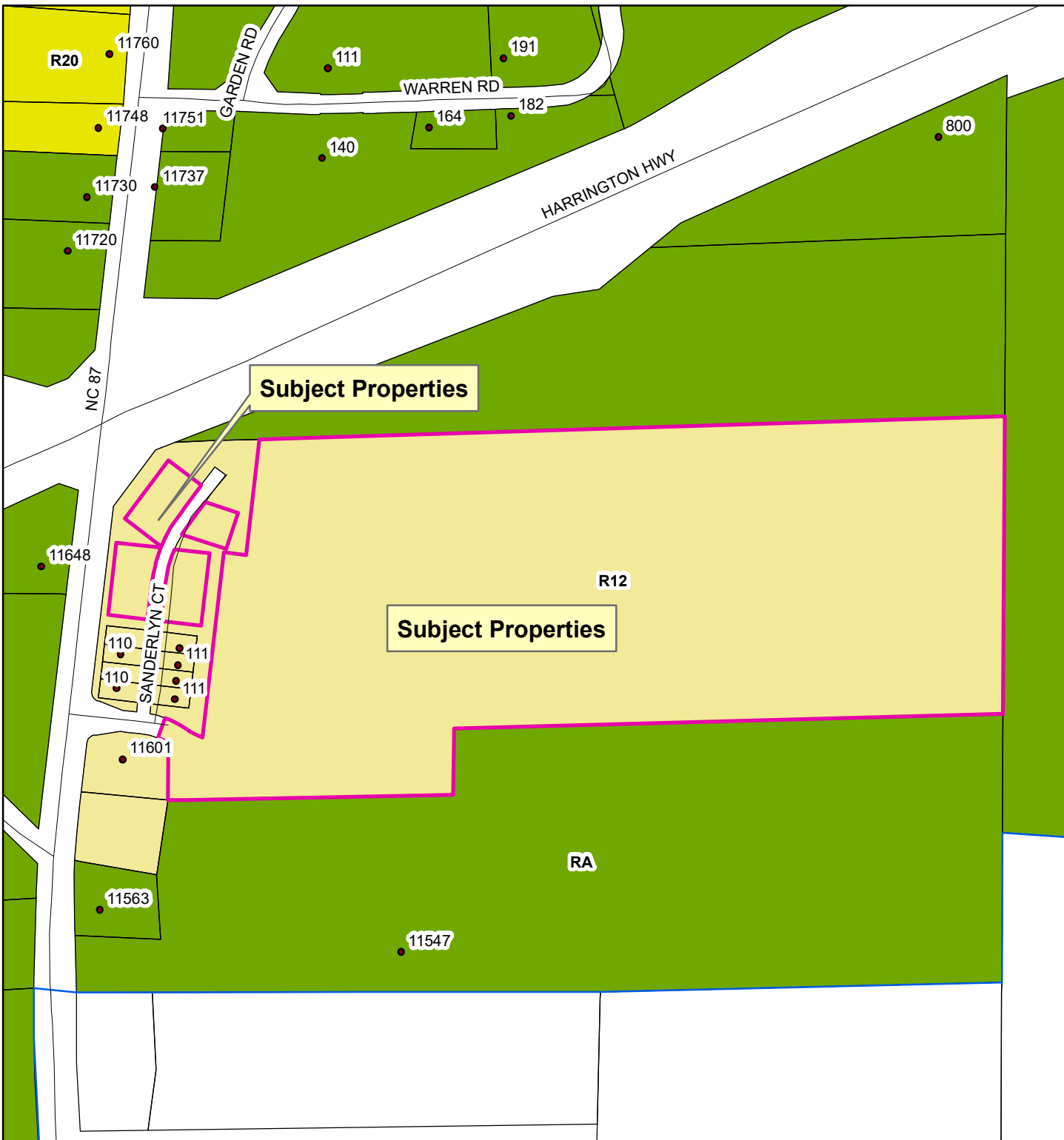
AERIAL MAP



- 7978-00-68-8552
- 7978-00-58-9561
- 7978-00-58-8770
- 7978-00-58-8513
- 7978-00-68-0616

**Zoned:
Residential-12**

**Request:
Residential Mixed Use**



ZONING CASE

Z-21-13

ZONING MAP



- 7978-00-68-8552
- 7978-00-58-9561
- 7978-00-58-8770
- 7978-00-58-8513
- 7978-00-68-0616

**Zoned:
Residential-12**

**Request:
Residential Mixed Use**

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 Unified Development Ordinance of the City of Eden is hereby amended as follows:

Section 1 - Change from Residential 12 to Residential Mixed Use the following properties:

Tract 1:

Being all of Lot 6, Phase One, Harrington Corner as shown on that plat entitled "Revision of Plat Recorded in Map Book 62, page 93 for Harrington Corner, Phase One," prepared by C. E. Robertson & Associates and recorded in Map Book 63, page 58, as revised by plat recorded in Map Book 78, page 41, Rockingham County Registry. Reference: Deed Book 1601, page 2093.

The above described property being identified by the Rockingham County Tax Dept. as 7978-00-68-0616 and Parcel No. 173138.

Tract 2:

Being all of Lot 4 as shown on Revision Plat for Harrington Corner, Phase One, recorded in Map Book 63, page 58, as revised in Map Book 78, page 41, Rockingham County Registry, to which reference is made for more particularity in description. Reference: Deed Book 1568, page 2343.

The above described property being identified by the Rockingham County Tax Dept. as 7978-00-58-8513 and Parcel No. 173140.

Tract 3:

Being all of Lot 5 as shown on Revision Plat for Harrington Corner, Phase One, recorded in Map Book 63, page 58, as revised in Map Book 78, page 41, Rockingham County Registry, to which reference is made for more particularity in description. Reference: Deed Book 1568, page 2343.

The above described property being identified by the Rockingham County Tax Dept. as 7978-00-58-8770 and Parcel No. 173139.

Tract 4:

Being all of Lot 7 as shown on Revision Plat for Harrington Corner, Phase One, recorded in Map Book 63, page 58, as revised in Map Book 78, page 41, Rockingham County Registry, to which reference is made for more particularity in description. Reference: Deed Book 1568, page 2343.

The above described property being identified by the Rockingham County Tax Dept. as 7978-00-58-9561 and Parcel No. 173137.

Tract 5:

Being all of that property described in deed to Harrington's Corner, LLC recorded in Deed Book 1313, page 1615, Rockingham County Registry, **less and except** Lots 1-8 and the property designated as "Common Area" in Phase One for Harrington Corner as shown on plat recorded in Map Book 63, page 58, as revised in Map Book 78, Page 41, Rockingham County Registry.

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

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of August, 2021.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
A PROPOSED AMENDMENT TO THE
CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE
CASE NUMBER Z-21-13
MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160D-605, prior to adoption or rejection of any zoning amendment, the Eden City Council is required to adopt a statement as to whether the amendment is consistent with the Land Development Plan and why the City Council considers the action taken to be reasonable and in the public interest;

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

WHEREAS, the City of Eden Planning Board received a request to rezone property located on Sanderlyn Court from Residential 12 to Residential Mixed Use.

WHEREAS, On July 27, 2021, the City of Eden Planning Board voted to recommend to the Eden City Council that the rezoning request be approved.

STATEMENT OF NEED:

The subject parcels are located around a single-family townhome development located at the intersection of Harrington Highway and NC 87 South. The properties were zoned R12 at the time of original ETJ zoning. The townhome development was already in existence when this area was taken into the City's ETJ. Under the City's current UDO, this type of development would not be allowed in the R12 districts. The RMX district allows for this type of development (townhomes) as well as other higher density residential development, including multi-family (3 or more units), single-family detached housing, and two-family units (duplexes). Staff is of the opinion that RMX zoning would be appropriate for the subject properties due to the existing townhome development and that such development would not be detrimental to the surrounding residential properties.

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 Unified Development 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 Unified Development Ordinance is reasonable and in the public's, best interest.

Approved and adopted and effective this 17th day of August, 2021.

CITY OF EDEN

BY: _____
Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk



Planning and Community Development Department

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: Jon Mendenhall, City Manager
From: Kelly K. Stultz, AICP, Director
Subject: **Zoning Case Z-21-14 – 312 Bridge Street**
Date: August 4, 2021

The City has received a zoning map amendment request filed by Matthew and Florence Smith, property owners, to rezone property at 312 Bridge Street. The request is to rezone the property from Business General to Residential-12.

The Planning and Community Development Department recommends approval of the map amendment request. At a regular meeting in July, the Planning Board voted to recommend that the City Council approve this request.

CERTIFICATE SHOWING THAT NOTICES WERE MAILED TO THE OWNER(S) OF PROPERTY SUBJECT TO REZONING AND TO OWNER(S) OF ALL PARCELS OF LAND ABUTTING SUBJECT PROPERTY AND/OR WITHIN 100 FEET OF SUBJECT PROPERTY.

RE: ZONING CASE Z-21-14
312 Bridge Street

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF EDEN:

I, Kelly K. Stultz, Planning & Community Development Director of the City of Eden North Carolina, do hereby certify that notices of the proposed zoning map amendment requested by Matthew and Florence Smith to rezone property at 312 Bridge Street from Business General to Residential-12 were mailed first-class mail to the owners of the property in the proposed rezoning and all property owners adjacent to or within 100 feet of the subject area on the 3rd day August, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand this the 4th day of August, 2021.



Kelly K. Stultz, AICP
Planning and Community Development Director



Rezoning (Map Amendment) Application

Planning and Inspections Department
308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

www.edennc.us

CONTACT INFORMATION

Contact Name Matthew & Florence Smith
Contact Address 312 N. Bridge Street
City Eden State NC Zip 27288
Phone Number 336-344-6288 Email olddiscjockey@icloud.com
Contact's Property Interest or Legal Relationship to Owner _____

PROPERTY OWNER INFORMATION

Property Owner Name Same as above
Property Owner Mailing Address _____
City _____ State _____ Zip _____
Phone _____ Email _____

PROPERTY INFORMATION

Tax Property ID No. (PIN) _____
Deed Book and Page No. _____
Physical Address same
City _____ State _____ Zip _____
Year Current Owner Acquired Property _____ Acreage _____
Public Water Available? Yes No Public Sewer Available? Yes No
Current Use of Property Residential
City Jurisdiction: In-City Limits ETJ

Existing land use/zoning on adjoining properties:

North: _____
South: _____
East: _____
West: _____

ADDITIONAL INFORMATION

Attach the following documents to this application form:

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Review Process: After review and recommendation of the application by the Administrator, the Planning Board shall review and provide a recommendation to the City Council. Upon receiving a recommendation from the Planning Board, the City Council shall hold a legislative public hearing on the proposal for official action.

Required Application Information: A petitioner must complete this application in full. This application will not be processed unless all information requested is provided.

General Rezoning Requests: These are "general" requests involving a zoning change to an individual parcel of land. The request is to amend or change the City's Official Zoning Map in a certain area from one zoning district to another. "General" rezoning requests are not specific and if approved, any permitted land use within the new zoning district as illustrated in Section 5.06 (Table of Permitted Uses) of the Eden UDO could be permitted.

Conditional Zoning District Requests: Conditional Zoning Districts (CZ) are districts with conditions voluntarily added by the applicant. Conditional Zoning Districts provide for orderly and flexible development under the general policies of this ordinance without the constraints of some of the prescribed standards guiding by-right development. Conditional Zoning Districts may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure. Conditional Zoning District rezonings can include restrictive land uses, site/subdivision master plans and other information as described in Section 3.10 of the UDO.

ZONING INFORMATION

Request Type: General Rezoning Conditional Zoning District

Current Zoning District B-6

Requested Zoning District A-12

If the request is to a Conditional Zoning District this application should be accompanied by an Existing Conditions Map, a Sketch Plan (may be waived by the Administrator as appropriate), and Master Plan; as well as any other plans, drawings, renderings, elevations, maps and documents specifically included as development documents for approval by the City Council. At a minimum, the following should be provided:

1. The underlying zoning districts and a full list of proposed uses consistent in character with those zoning districts.

Such use classifications may be selected from any of the uses, whether permitted, by right or with supplemental



Rezoning (Map Amendment) Application

Planning and Inspections Department
308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

www.edennc.us

standards, allowed in the general zoning district upon which the Conditional Zoning District is based. Uses not otherwise permitted within the general zoning district shall not be permitted within the Conditional Zoning District.

2. General traffic routes (external and internal) to and from the development with major access points identified.
3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios and impervious surface ratios as applicable to development type; and land areas devoted to each type of general land use and phase of development.
4. A proposed development schedule if the project is to be phased.

Proposed Land Use(s):

Proposed Conditions Offered by Applicant: _____

APPLICANT/OWNER CERTIFICATION

I hereby certify that, to the best of my knowledge, the information on this application is true and accurate, and I hereby petition the Planning Board to recommend and the City Council to approve this application for a rezoning (map amendment).

Applicant Signature *Kenneth Smith* Date July 3, 2021
Property Owner Signature _____ Date _____

Office Use Only

Staff Member (Initial upon Receipt) KS Date 7/2/2021
Application Number 2-21-15 Fee Paid _____

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING MAP AMENDMENT REPORT
July 19, 2021**

CASE NUMBER:	Z-21-14
EXISTING ZONING DISTRICT:	Business General (BG)
REQUESTED ZONING DISTRICT:	Residential 12 (R12)
APPLICANT:	Matthew and Florence Smith
APPLICANT'S STATUS:	Property Owners

PROPERTY INFORMATION

LOCATION:	312 Bridge Street
PIN:	7070-1831-7376
SIZE:	.19 acres
ACCESS:	Bridge Street
LAND USE:	Single-family residential
ZONING HISTORY:	Zoned BG; rezoned NMX as part of UDO (effective January 1, 2021); rezoned back to BG in July, 2021

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north and south by BG property containing single-family residences; bordered on the east by R12 property containing single-family residences; bordered on the west (across Bridge St.) by NMX property containing the Bridge Street Recreation Center.		
ADJACENT ZONING:	North:	BG	
	East:	R12	
	South:	BG	
	West:	NMX	

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
PUBLIC WATER AVAILABLE:	Yes

PUBLIC SEWER AVAILABLE: Yes
LAND DEVELOPMENT PLAN (2007): Traditional Neighborhood
FLOOD HAZARD AREA: None
WATER SUPPLY WATERSHED: None

STAFF ANALYSIS

The request is to rezone approximately .19 acres from Business General (BG) to Residential 12 (R12). The BG districts are generally located on the fringe of the central business district and along major radial highways leading out of the city. The principal use of land is for dispensing retail goods and services to the community and to provide space for wholesaling and warehousing activities. Because these commercial areas are subject to public view and are important to the economy of the area, they shall have ample parking, controlled traffic movement, and suitable landscaping. The R12 (and other residential) districts are established for residential development and related recreational, religious and educational facilities. They are intended to act as transitional zoning districts between rural development and the more urban development of the City. These regulations are further intended to discourage any use which would be detrimental to the predominantly residential nature of the areas included within the district.

The subject parcel is located on Bridge Street, which has a mix of commercial and residential uses. The property was originally zoned BG. This area was rezoned to NMX (Neighborhood Mixed Use) as part of the UDO updates which were effective on January 1, 2021. Due to concerns from former BG property owners, most of the former BG properties were rezoned back to BG in July of 2021. The owner of the subject property wishes to rezone the property to R12 due to the current residential use of the property and the neighboring residential uses. The subject property adjoins an existing R12 residential neighborhood to the east, and therefore staff is of the opinion that R12 would be an appropriate zoning for this property.

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

STAFF RECOMMENDATION:

Approval of the R12 request.



ZONING CASE

Z-21-14

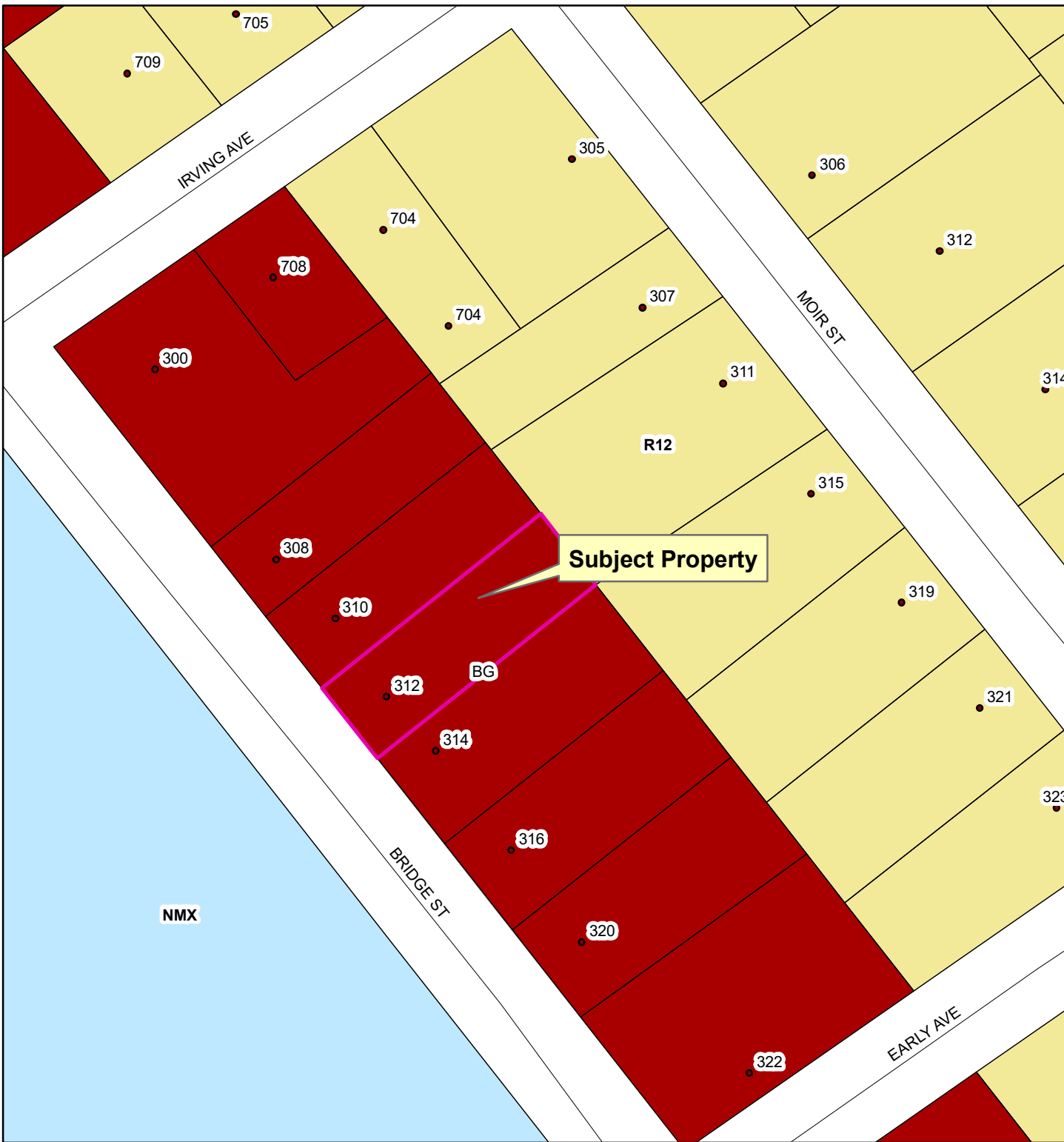
AERIAL MAP



7070-18-31-7376

**Zoned:
Business-General**

**Request:
Residential-12**



ZONING CASE
Z-21-14
ZONING MAP



7070-18-31-7376
Zoned:
Business-General
Request:
Residential-12

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 Unified Development Ordinance of the City of Eden is hereby amended as follows:

Section 1 - Change from Residential 12 to Residential Mixed Use the following properties:

COMMENCING at a nail in paving, said nail marking the Northeast intersection of Bridge Street by Early Avenue; thence and with the Eastern edge of Bridge Street North 28 deg. 43' West 292 feet to an iron pipe, said iron pipe being the Northwest corner of Lot G, and the point of BEGINNING; thence and along the Northern line of Lot G North 51 deg. 17 min. East 164.72 feet to a found iron, said found iron being the Southwest corner of the Josiah Robertson lot; thence and with the rear line of the Josiah Robertson lot North 38 deg. 43 min. West 52 feet to an iron pipe set in the rear line of the Josiah Robertson lot; thence South 51 deg. 17 min. West 164.72 feet with the Southern line of Lot I to an iron pipe set in the Eastern edge of Bridge Street; thence and along the Eastern edge of Bridge Street South 38 deg. 43 min. East 52 feet to an iron pipe, the point of BEGINNING, and containing 8,565 square feet, more or less, the same being all of Lot H as per Map #2 of the Subdivision of the property of the Leaksville Woolen Mills, Inc. as made by W. T. Combs, C. E. October 11-20, 1948, and recorded in the Register of Deeds office for Rockingham County, North Carolina in Map Book 6, Page 94.

The above described property being commonly known as 312 Bridge Street and identified by the Rockingham County Tax Dept. as 7070-18-31-7376 and Parcel No. 107191.

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

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of August, 2021.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
A PROPOSED AMENDMENT TO THE
CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE
CASE NUMBER Z-21-14
MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160D-605, prior to adoption or rejection of any zoning amendment, the Eden City Council is required to adopt a statement as to whether the amendment is consistent with the Land Development Plan and why the City Council considers the action taken to be reasonable and in the public interest;

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

WHEREAS, the City of Eden Planning Board received a request to rezone property located at 312 Bridge Street from Business General to Residential 12.

WHEREAS, On July 27, 2021, the City of Eden Planning Board voted to recommend to the Eden City Council that the rezoning request be approved.

STATEMENT OF NEED:

The subject parcel is located on Bridge Street, which has a mix of commercial and residential uses. The property was originally zoned BG. This area was rezoned to NMX (Neighborhood Mixed Use) as part of the UDO updates which were effective on January 1, 2021. Due to concerns from former BG property owners, most of the former BG properties were rezoned back to BG in July of 2021. The owner of the subject property wishes to rezone the property to R12 due to the current residential use of the property and the neighboring residential uses. The subject property adjoins an existing R12 residential neighborhood to the east, and therefore staff is of the opinion that R12 would be an appropriate zoning for this property.

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 Unified Development 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 Unified Development Ordinance is reasonable and in the public's, best interest.

Approved and adopted and effective this 17th day of August, 2021.

CITY OF EDEN

BY: _____
Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk



Planning and Community Development Department

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: Jon Mendenhall, City Manager
From: Kelly K. Stultz, AICP, Director
Subject: **Zoning Case Z-21-15 – 1128 and 1130 Friendly Road**
Date: August 4, 2021

The City has received a zoning map amendment request filed by Lawrence Matthew Hall, III to rezone property at 1128 and 1130 Friendly Road. The request is to rezone the property from Residential Agricultural to Heavy Industrial.

The Planning and Community Development Department recommends denial of the map amendment request.

At a regular meeting in July, the Planning Board voted to recommend that the City Council deny this request.

CERTIFICATE SHOWING THAT NOTICES WERE MAILED TO THE OWNER(S) OF PROPERTY SUBJECT TO REZONING AND TO OWNER(S) OF ALL PARCELS OF LAND ABUTTING SUBJECT PROPERTY AND/OR WITHIN 100 FEET OF SUBJECT PROPERTY.

RE: ZONING CASE Z-21-15
1128 and 1130 Friendly Road

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF EDEN:

I, Kelly K. Stultz, Planning & Community Development Director of the City of Eden North Carolina, do hereby certify that notices of the proposed zoning map amendment requested by Lawrence Matthew Hall, III to rezone property at 1128 and 1130 Friendly Road from Residential Agricultural to Heavy Industrial were mailed first-class mail to the owners of the property in the proposed rezoning and all property owners adjacent to or within 100 feet of the subject area on the 3rd day August, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand this the 4th day of August, 2021.



Kelly K. Stultz, AICP
Planning and Community Development Director



Rezoning (Map Amendment) Application

Planning and Inspections Department

308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

www.edennc.us

CONTACT INFORMATION

Contact Name LAWrence matthew Hall III
 Contact Address 1156 Virginia st
 City Eden State NC Zip 27288
 Phone Number 336-344-1644 Email mary.hall121566@gmail.com.
 Contact's Property Interest or Legal Relationship to Owner owner / self

PROPERTY OWNER INFORMATION

Property Owner Name LAWrence Matthew Hall III
 Property Owner Mailing Address 1128 freindly Rd
 City Eden State NC Zip 27288
 Phone 336-344-1644 Email mary.hall121566@gmail.com.

PROPERTY INFORMATION

Tax Property ID No. (PIN) _____
 Deed Book and Page No. _____
 Physical Address 1128 freindly Rd
 City Eden State NC Zip 27288
 Year Current Owner Acquired Property _____ Acreage _____
 Public Water Available? Yes No Public Sewer Available? Yes No
 Current Use of Property _____
 City Jurisdiction: _____ In-City Limits ETJ I think
 Existing land use/zoning on adjoining properties:

North: _____
 South: _____
 East: _____
 West: _____

ADDITIONAL INFORMATION

Attach the following documents to this application form:

- Recorded deed to the property
- Copy of the recorded plat or survey for the property* or A map showing dimensions of the property

*Preferred

PROCESS & FILING INFORMATION

Submission Requirements: Per Article 3 of the Eden Unified Development Ordinance (UDO), every applicant for a rezoning (map amendment) is required to meet with the Administrator in a pre-application conference prior to the submittal of a formal application. The purposes of this conference are to provide additional information regarding the review process and assistance in the preparation of the application. Upon application submittal, the Administrator shall review the application to ensure that it is complete.

Review Process: After review and recommendation of the application by the Administrator, the Planning Board shall review and provide a recommendation to the City Council. Upon receiving a recommendation from the Planning Board, the City Council shall hold a legislative public hearing on the proposal for official action.

Required Application Information: A petitioner must complete this application in full. This application will not be processed unless all information requested is provided.

General Rezoning Requests: These are "general" requests involving a zoning change to an individual parcel of land. The request is to amend or change the City's Official Zoning Map in a certain area from one zoning district to another. "General" rezoning requests are not specific and if approved, any permitted land use within the new zoning district as illustrated in Section 5.06 (Table of Permitted Uses) of the Eden UDO could be permitted.

Conditional Zoning District Requests: Conditional Zoning Districts (CZ) are districts with conditions voluntarily added by the applicant. Conditional Zoning Districts provide for orderly and flexible development under the general policies of this ordinance without the constraints of some of the prescribed standards guiding by-right development. Conditional Zoning Districts may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure. Conditional Zoning District rezonings can include restrictive land uses, site/subdivision master plans and other information as described in Section 3.10 of the UDO.

ZONING INFORMATION

Request Type: General Rezoning Conditional Zoning District

Current Zoning District RA

Requested Zoning District HI

If the request is to a Conditional Zoning District this application should be accompanied by an Existing Conditions Map, a Sketch Plan (may be waived by the Administrator as appropriate), and Master Plan; as well as any other plans, drawings, renderings, elevations, maps and documents specifically included as development documents for approval by the City Council. At a minimum, the following should be provided:

1. The underlying zoning districts and a full list of proposed uses consistent in character with those zoning districts.

Such use classifications may be selected from any of the uses, whether permitted, by right or with supplemental



Rezoning (Map Amendment) Application

Planning and Inspections Department

308 E. Stadium Dr., Eden, NC 27288

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standards, allowed in the general zoning district upon which the Conditional Zoning District is based. Uses not otherwise permitted within the general zoning district shall not be permitted within the Conditional Zoning District.

2. General traffic routes (external and internal) to and from the development with major access points identified.
3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios and impervious surface ratios as applicable to development type; and land areas devoted to each type of general land use and phase of development.
4. A proposed development schedule if the project is to be phased.

Proposed Land Use(s):

want to use as a Recycling ^{company} Wrecker Service
 want zone commercial property ^{property}

Proposed Conditions Offered by Applicant:

I want to Recycling and or Wrecker Service
 want zone to commercial property

APPLICANT/OWNER CERTIFICATION

I hereby certify that, to the best of my knowledge, the information on this application is true and accurate, and I hereby petition the Planning Board to recommend and the City Council to approve this application for a rezoning (map amendment).

Applicant Signature Lawrence Matthew Hall III Date 7-2-2021
 Property Owner Signature *Lawrence Matthew Hall III Date 7-2-2021

Office Use Only

Staff Member (Initial upon Receipt) DM Date 7/2/2021
 Application Number 2-21-18 (15) Fee Paid _____

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING MAP AMENDMENT REPORT
July 19, 2021**

CASE NUMBER:	Z-21-15
EXISTING ZONING DISTRICT:	Residential Agricultural (RA)
REQUESTED ZONING DISTRICT:	Heavy Industrial (HI)
APPLICANT:	Lawrence Matthew Hall, III
APPLICANT'S STATUS:	Property Owner

PROPERTY INFORMATION

LOCATION:	1128 and 1130 Friendly Road
PIN:	7081-0054-9862
SIZE:	8.12 acres
ACCESS:	Friendly Road
LAND USE:	Vacant commercial structure and single-family residence
ZONING HISTORY:	Zoned I2 as part of original ETJ zoning; rezoned to RA as part of UDO updates effective January 1, 2021

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north, south and east by large parcels of RA property containing single-family residences; bordered on the west (across Friendly Rd.) by a large parcel of undeveloped R6(CZ) property.		
ADJACENT ZONING:	North:	RA	
	East:	RA	
	South:	RA	
	West:	R6(CZ)	

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
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PUBLIC WATER AVAILABLE: No
PUBLIC SEWER AVAILABLE: No
LAND DEVELOPMENT PLAN (2007): Traditional Neighborhood
FLOOD HAZARD AREA: None
WATER SUPPLY WATERSHED: Smith River Protected Area

STAFF ANALYSIS

The request is to rezone approximately 8.12 acres from Residential Agricultural (RA) to Heavy Industrial (HI). The RA district is intended to accommodate lower density residential and agricultural uses. Areas within this district may be restricted due to lack of available utilities, unstable soil types or steep slopes. The HI district is established to accommodate those industrial, manufacturing, or large-scale utility operations that are known to pose levels of noise, vibration, odor, or truck traffic that are considered nuisances to surrounding development. This district is customarily located in proximity to railroad sidings and/or major thoroughfares.

The subject parcel is located on Friendly Road, which is made up almost entirely of residential and agricultural uses. The subject property formerly contained a scrap metal recycling facility, however the vested right to this use was lost when the facility shut down several years ago. Previous owners have petitioned several times to have the property rezoned for industrial-type uses and each of these requests has been denied. This property was rezoned to RA as part of the UDO updates which were effective on January 1, 2021. Due to the character of the adjacent and surrounding residential and agricultural uses, staff is of the opinion that HI zoning would not be appropriate for this property.

Based upon the rural character of the area and the existing residential and agricultural uses in the area, staff recommends denial of the HI request.

STAFF RECOMMENDATION:

Denial of the HI request.



ZONING CASE

Z-21-15

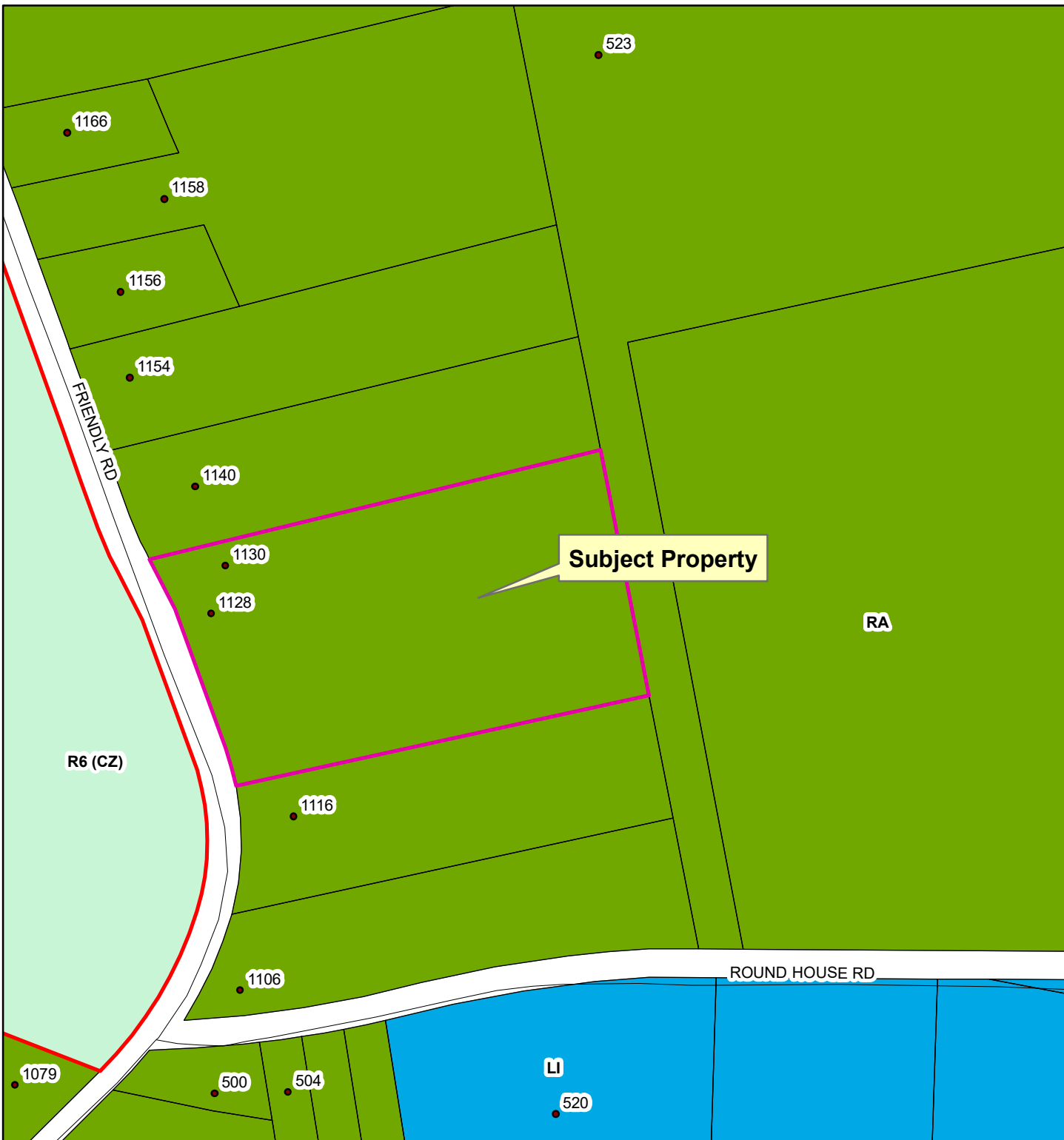
AERIAL MAP



7081-00-54-9862

**Zoned:
Residential-Agricultural**

**Request:
Light Industrial**



ZONING CASE

Z-21-15

ZONING MAP



7081-00-54-9862

**Zoned:
Residential-Agricultural**

**Request:
Light Industrial**

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
A PROPOSED AMENDMENT TO THE
CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE
CASE NUMBER Z-21-15
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 1128 and 1130 Friendly Road from Residential Agricultural (RA) Heavy Industrial (HI);

WHEREAS, On July 27, 2021, 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. The RA district is intended to accommodate lower density residential and agricultural uses. Areas within this district may be restricted due to lack of available utilities, unstable soil types or steep slopes. The HI district is established to accommodate those industrial, manufacturing, or large-scale utility operations that are known to pose levels of noise, vibration, odor, or truck traffic that are considered nuisances to surrounding development. This district is customarily located in proximity to railroad sidings and/or major thoroughfares.

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 Unified Development 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 Unified Development Ordinance are not reasonable and is not in the public's best interest.

Approved and adopted and effective this 17th day of August, 2021.

CITY OF EDEN

BY: _____

Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk



Planning and Inspections Department

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: Jon Mendenhall, City Manager
FROM: Kelly K. Stultz, AICP, Director
SUBJECT: **Annexation Request – 7845 NC 770**
DATE: August 3, 2021

The City has received a voluntary annexation request for property located at 7845 NC 770. This property is owned by Bobby and Jill Harris.

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

PETITION REQUESTING A CONTIGUOUS ANNEXATION

Date: 7/29/2021

To the City Council of the City of Eden, North Carolina:

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Eden.
2. The area to be annexed is contiguous to the City of Eden and the boundaries of such territory are as described in the attached Deed.
3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the City of Eden.

<u>Name</u>	<u>Address</u>	<u>Signature</u>
<u>7845 NCA Hwy 770 Eden NC.</u>		
<u>240 Corn Tassel Trail</u>		
wife <u>Jill H Harris</u>	<u>240 Corn Tassel Trail</u>	<u>Jill H Harris</u>
<u>Bobby Harris</u>	<u>240 Corn Tassel Trail</u>	<u>Bobby Harris</u>
	<u>Stonewille NC</u>	



Filed
Rockingham County, NC
Benjamin J. Curtis, Register of Deeds
10/12/2017 12:35:03 PM
Fee Amt: \$26.00 NC Excise Tax: \$0.00
STACIE S. JULIAN

NORTH CAROLINA GENERAL WARRANTY DEED

- ✓ Revenue Stamps \$NTC
- ✓ Mail after recording to
- ✓ This instrument was prepared by
- Brief description for the Index

MESH&T, PO Box 507, Eden, NC 27289-0507
Wayne A. Hollowell & Matthew W. Smith

PARCELS 133161 + 131267

THIS DEED made this 10th day of October, 2017, by and between

GRANTOR	GRANTEE
RONALD CHILTON, divorced By and Through his Attorney-in-Fact, Kristi Ann Chilton	JILL CHILTON Divorced
Address: <u>145 Venus Drive</u> <u>Ridgeway, VA 24148</u>	Mailing Address: <u>240 Corn Tassel Trail</u> <u>Eden, NC 27288</u>

Enter in appropriate block for each party: name, address, and if appropriate, character of entity, e.g. corporation or partnership

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Township, Rockingham County, North Carolina and more particularly described as follows:

SEE EXHIBIT 'A' ATTACHED

TITLE NOT EXAMINED/DESCRIPTION NOT VERIFIED

This property does not include the primary residence of the Grantor.

The property herein above described was acquired by Grantor by instrument recorded in Book 1257 , PAGE 1232 (Tract 1) and Book 1294, page 587 (Tract 2).

A map showing the above described property is recorded in Plat Book , page .

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

Taxes for the current year, rights-of-way of public highways and roads and public utilities, easements and restrictions of public record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, the day and year first above written.

Ronald Chilton, by and through his Attorney-in-Fact,
Kristi Ann Chilton (SEAL)
Ronald Chilton, by and through his Attorney-in-Fact, Kristi Ann Chilton

STATE OF NORTH CAROLINA, Rockingham County.

I, Misty S. Coy, a Notary Public of the County and State aforesaid, do hereby certify that Kristi Ann Chilton personally appeared before me this day, and being duly sworn, says that she executed the foregoing and annexed instruments for and in behalf of Ronald Chilton, and that her authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged and recorded in the Office of the Register of Deeds of Rockingham County, in Book 1486, page 911, and that this instrument was executed under and by virtue of the authority given by said instrument granting her power of attorney, that the said Kristi Ann Chilton acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and in behalf of the said Ronald Chilton.

Witness my hand and official seal this the 10th day of October, 2017.

Misty S. Coy
Notary Public
My Commission Expires: 12-5-2020



EXHIBIT 'A'

TRACT 1: Parcel # 133161; 7845 NC 770

Commencing at an established iron pipe driven in the west margin of a 20 foot roadway, said iron being the beginning point of that tract of land as is more fully described in deed from Dewey H. Robertson and wife, Margaret G. Robertson to George D. Robertson and wife, Evelyn H. Robertson dated March 31, 1955 and recorded in Deed Book 468, at page 208; thence along a tie line, North 49 deg. 15' E. 214.09 feet to a point, THE POINT OF BEGINNING; thence North 60 deg. 14' E. 100 feet to a point; thence South 29 deg. 46' East 300 feet, more or less, to a point, in the north line of the rightofway of N. C. State Highway #770; thence continuing South 29 deg. 46' East 75 feet, more or less, to a point, the center line of the said N. C. Highway #770; thence with the center line of said highway, South 60 deg. 14' West 100 feet to a point; thence North 29 deg. 46' West 75 feet to a point; thence continuing North 29 deg. 46' West 300.00 feet, more or less, to the point of beginning, being a portion of a certain 3.719 acre tract, as per "Plat of Survey for George D. Robertson" by Robert B. Mollenry dated January 28, 1971.

SAVE AND EXCEPT from the above described tract of land any portion thereof heretofore conveyed for highway purposes.

The above described parcel of land contains a portion of that tract of land conveyed from Dewey H. Robertson and Margaret G. Robertson to George D. Robertson and wife, Evelyn H. Robertson by deed dated March 31, 1955, and recorded in Deed Book 468, at page 208, and a portion of both tracts of land as described in a deed from Fred J. Swinney and wife, Geneva D. Swinney to George D. Robertson and wife, Evelyn H. Robertson dated February 12, 1949 and recorded in Deed Book 396, at page 247.

TRACT 2: Parcel #131267; 240 Corn Tassel Trail

BEGINNING at an iron in the South right of way line of Corn Tassel Trail, said iron marking the common front corner of Lots 8 and 7, Section B, as shown on Plat of Survey of Ravenwood Estates, by C. E. Robertson, R. L. S., dated May 23, 1974 and recorded in Map Book 15, Page 47 in the Office of the Register of Deeds for Rockingham County, North Carolina to which map reference is hereby made; thence with the South right of way line of Corn Tassel Trail North 89° 17' East 145.73 feet to an iron a common front corner of Lot 7 and 9, Section B; thence with the line of Lot 9 South 00° 43' East 200.00 feet to an iron on the North bank of Tomlin Creek; thence South 89° 17' West 145.73 feet to an iron in the East line of Lot 8, Section B; thence with the line of Lot 8, Section B, North 00° 43' West 200.00 feet TO THE POINT OF BEGINNING and being all of Lot 7, Section B, Ravenwood Estates.
(8482 12-23)

BEGINNING at an iron marking the Southeast corner of Lot 6, Section B, as shown on Plat of Survey of Ravenwood Estates by C. E. Robertson, R. L. S., dated May 23, 1974, recorded in Map Book 15, Page 47 in the Office of the Register of Deeds for Rockingham County, North Carolina to which map reference is hereby made; thence South 00° 43' East 20.00 feet marking the corner of Lot 8 to the North bank of Tomlin Creek; thence with the North bank of Tomlin Creek North 54° 12' East to the common rear corner of Lots 7 and 9, Section B; thence with the South line of Lot 7, Section B, South 89° 17' West 145.73 feet to the East line of Lot 8, Section B; thence with the East line of Lot 8, Section B, South 00° 43' East 50.00 feet TO THE POINT OF BEGINNING, the same being an unknown parcel to the rear of Lot 7, Section B, Ravenwood Estates.
(8482 25-38)

Subject to a 10 foot drainage easement to N. C. Board of Transportation and Highway Safety along the West line of Lot 7, Section B.

Subject to restrictions as recorded in Book 885, Page 498, Office of Register of Deeds, Rockingham County.

City of Eden
Annexation of 7845 NC 770



FIREMAN CLUB RD

LAKECREST RD

NC 770

NC 135

WASHINGTON ST

7833

7845

7885

1405

1335

1416

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

WHEREAS, a Petition requesting annexation of an area described in said Petition was received on July 29, 2021, by the City Council of the City of Eden; and

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

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

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

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

This the 17th day of August, 2021.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, CMC
City Clerk



Planning and Community Development Department

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: Jon Mendenhall, City Manager
From: Kelly K. Stultz, AICP, Director, and Randy Hunt, Interim Community and Economic Development Manager
Subject: **Requesting a Study from NCDOT**
Date: August 9, 2021

The Uptown Leaksville district has seen tremendous growth in the recent past. The Eden Downtown Development Corporation and the Uptown Merchants Association have endorsed a request to NCDOT for a study of a potential traffic circle at the intersection of Washington, Bridge and Boone Road.

Please let us know if we can provide anything further before the meeting.



**Resolution of support for a roundabout to replace the
Bridge Street, Boone Road and Washington Street intersection**

WHEREAS, Eden’s historic downtown area, founded in 1797, has undergone an unprecedented revitalization from 2019-2021; and

WHEREAS, this downtown area has added nine new businesses and 40 new residents since 2020; and

WHEREAS, Washington Street continues to be a major thoroughfare, connecting western Eden residents to the central area of the City, and more than 11,000 vehicles traverse the Bridge Street, Boone Road and Washington Street intersection daily; and

WHEREAS, it is of utmost importance to move traffic efficiently and safely in this important section of the Eden community; and

WHEREAS, Eden residents have navigated two existing roundabouts for decades and are familiar with their traffic patterns; and

WHEREAS, the proposed roundabout will enable traffic to move more fluidly at this intersection and not include the cost of additional signalization;

NOW, THEREFORE, BE IT RESOLVED, that the Eden City Council does hereby endorse this resolution in support of the proposed roundabout for the benefit of Eden motorists, and to encourage additional downtown revitalization

This the 17th day of August, 2021

Neville Hall, Mayor (SEAL)

ATTEST:

Deanna Hunt, City Clerk

CITY OF EDEN – MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: TERRY SHELTON, SPECIAL PROJECTS MANAGER

DATE: AUGUST 10, 2021

SUBJECT: UPDATE ON CAPITAL WATER AND SEWER PROJECTS DEBT SERVICE

In the fall of 2020, the City completed Phase I of the Berry Hill Mega Park waterline and at the City's direction, Public Utilities approached NCDEQ about the possibility of expanding the project into a Phase II construction project since there was considerable funding available from the original award. This work consists of 18,000± LF of new 16-inch water line. NCDEQ approved the City's request for this work, a change order was approved and work is underway.

In January of 2020 City Council was updated on earmarking \$200,000 toward debt service for the waterline to the Mega Park. The debt service and projects are shown below:

Loans Paid Off in FY 21-22 (current debt service)	\$1,141,300
New Debt Service:	
EPA Remediation Projects	(\$750,000)
Mega Park WL PH1 & PH2	<u>(\$185,376)</u>
Remaining Debt Service Avail.	\$205,924
ASADRA and SRF Loans	
Debt Service for EPA Remediation	<u>(\$361,528)</u>
Shortfall	(\$155,605)

At this point, we believe the Phase II work for the waterline to the state line can be completed in its entirety. At the time Council was asked to earmark \$200,000 for debt service for Phase II, the staff and our engineers did not think the waterline could be finished from the state line to Edgewood Road for the money that \$200,000 of debt service would provide. The project plan was to go as far as possible until the money available ran out for the debt service available. With change order overall cost that Haymes Brothers Construction offered, we now believe that the waterline can be completed as originally envisioned with a final debt service amount of \$185,376. The project is expected to be finished and we should not have to spend farther on this project before it goes into service when needed. This will allow the City to maximize the loan dollars spent to get as much grant money as possible into the finished project.

The remaining debt service that will become available with the retiring of the current annual debt service payments will be \$205,924. These total \$7,158,982 that will be funded through the State Division of Water Infrastructure with ASADRA and SRF low interest loans. These loans will require about \$361,529 annually for 20 years. The available debt service will leave the City \$155,605 short of fully covering these loan payments with existing debt service. It is intended to apply this fall for principle forgiveness (grant funding) to reduce the overall debt service for these loans. In the spring round of funding we qualified for 50% principle forgiveness for the ASADRA and SRF loans, but there was not enough Principle Forgiveness money to meet all the needs and we received none. We are eligible to reapply this fall for the Principle Forgiveness on the projects for which we have already been awarded low interest loans (**0.10%**). Any principle forgiveness money awarded would greatly reduce the \$155,605 shortfall in the debt service funding available.



City Manager's Report

August 2021

City Manager Jon Mendenhall

ECONOMIC DEVELOPMENT

Effective August 31, Director of Economic Development Mike Dougherty will retire. Mr. Dougherty shared some of his final thoughts regarding the City:

“It took many years to transition Eden from a textile community to one that has a more diverse industrial base, and one offering natural resources and amenities. Starting in the fall of 2019, with the Gildan Yarns announcement, and continuing into pandemic-plagued 2020, Eden saw Nestle Purina, Night Owl National Contractors, Acrow Bridges and the Eden Venture Business Park open within its vicinity. Eden’s success was mirrored in the county as Rockingham County Economic Development Director Leigh Cockram won the North Carolina Economic Development Association (NCEDA) Economic Developer of the Year award. The prevailing negative image of Rockingham County has been changed to an extremely positive one, full of opportunity and promise.

New residents are locating to Eden from across the country. In 2020, nine new businesses started in Uptown Eden, and both The Boulevard and Downtown Draper have attracted new property owners who will transform buildings to accommodate thriving businesses.

Many thanks go to Community and Economic Development Manager Randy Hunt for his excellent work in Eden’s traditional downtown areas and to Marketing and Special Events Manager Cindy Adams who has taken our events and others to a very high level that attract thousands of attendees to our community. Eden residents should rest assured that they will continue working diligently to make Eden the best place it can be.

Much is yet to be accomplished but Eden is on its way to a far better future. The 2011 All-America City campaign slogan, *Eden: Where Promise Flows*, has become a reality.”

ENGINEERING

FY 2021-22 Street Resurfacing Contract, No. 1

The bid opening for the FY 2021-22 Street Resurfacing Contract, No. 1 was held on July 27 in which the City received four responsive bids. The low bidder was Waugh Asphalt, Inc. out of Franklinville, N.C. with a bid in the amount of \$240,682.90. The contract includes the adjustment of utility structures, asphalt milling, leveling and resurfacing on the following streets: Henry Street, Park Road, Knight Street, Taft Street and Mill Avenue. The work is scheduled to be completed sometime in September or October.

NCDOT Street Resurfacing – Washington Street

The resurfacing of Washington Street has been completed; however, NCDOT is still waiting on their contractor to install the permanent pavement markings. The contractor has been delayed due to personnel and equipment issues.

Water Main Projects Update

Installation work for the Bridge Street waterline replacement project began August 3 with workers from Collection and Distribution installing a new valve and making a couple of temporary water taps to serve customers. Through August 9, crews installed roughly 338 LF of 6-inch diameter ductile iron water main. Traffic in the block between Irving Avenue and Oak Street has been shifted to the east using traffic cones, with two-way travel allowed during most of the work.

A crew from Haymes Brothers installed approximately 1,350 LF of 16-inch diameter PVC water main as of August 6, as part of the phase two work for the SOVA MegaSite project. The crew has been working along N. Rickman Street north and south of Mill Avenue, with the actual crossing of Mill Avenue skipped for now. A connection has been made to the existing 6-inch water main. A couple bores under creek crossings are proposed for the next month.

PARKS AND RECREATION

Bridge Street & Mill Avenue Recreation Centers

These two facilities will be open Monday through Friday from 10 a.m. until 6 p.m. Those attending may participate in basketball, pickleball, track walking or the playground.

The Mill Avenue Recreation Center offers the same services with the addition of a baseball field.

Freedom Park

Open daily from dawn to dusk, this park offers a walking track, nature trail, splash pad, skateboard park, basketball courts, miniature golf (open Friday, Saturday and Sunday 4-7 p.m.), playground, dog park, picnic shelters and an amphitheater.

Garden of Eden Senior Center

The Garden of Eden Senior Center is open from 10 a.m. – 6 p.m. and offers paint classes, mahjonnig, pickleball (mornings and evenings offsite), exercise classes, cornhole, knit and crochet, strength and balance, legal aid, quilt guild, Friends Club, bingo, watercolor classes, craft classes, senior technology classes and card games, along with assistance and referral for seniors. The center's community garden is producing and vegetables are being given away. Software is currently being setup to enable staff to email participants newsletters and calendars in order to keep them informed of services and programs they might be interested in.

Mill Avenue Pool & Freedom Park Splash Pad

Hours are noon until 6 p.m. daily (including weekends). The pool and splash pad can also be rented daily from 9:45 – 11:45 a.m. and also from 6:30 – 8:30 p.m.

Special Events

The City hosted the N.C. Dixie Youth Baseball Ozone State Tournament at Freedom Park with an opening ceremony on July 16. Twelve teams from all over the state participated over a course of six days. The Reidsville All-Stars won the D1 championship while South Stanley captured the D2 title. Both teams will travel to Laurel, Mississippi to represent N.C. in the Dixie Youth Ozone World Series. This event brought more than 1,500 hundred players, parents and spectators to Eden.

Sports Programs

The City is now registering for an adult cornhole league and an adult/child kickball league. Registration has begun for the Prowlers football program for ages 5-12, as well as the football cheerleading program.

PLANNING & COMMUNITY DEVELOPMENT

Board of Adjustment

The Board of Adjustment received an application for a variance for an accessory structure at 1002 Lawson Street. The Board will meet in August to hear evidence and render a decision on the case.

Collections

Payments received for code enforcement fees during the month of July consisted of \$690.30 from Rockingham County Tax Department and \$700.00 by the City.

EDDI

The Main Street program has tracked over \$2.8 million in downtown investment over the last year, which is the largest amount recorded from Eden's involvement in the N.C. Main Street program.

Grants

Posters and brochures were posted in City Hall to stay in compliance with all laws and regulations of the state and federal government concerning Fair Housing, Section 3 and Language Access Plans. The posters and brochures must stay posted for the entire duration of the City's grants; some must be rotated with others provided to the City by its consultants. There will be additional policies related to the CDBG-Draper project that will be presented for adoption at the August City Council meeting. Staff will begin to verify incomes and make inspections of the properties that qualify to receive assistance.

Downtown and Economic Development Activities

The Boulevard

The Boulevard Merchants continue to host events, including a third annual 'Cars and Crabs' low country boil and car show event. A mural recently painted at the corner of Irving Avenue and The Boulevard has elicited good response and is spurring another to be painted on an adjoining building. More investor inquiries have occurred.

The Cook Block

The location of 623 Morgan Road is under new ownership and will soon be refurbished.

Draper

The locations of 107A and 107B N. Fieldcrest Road are under new ownership and renovations have begun on both the façade and interior. The location of 144 N. Fieldcrest Road is currently being renovated. A new restaurant is coming to 115 N. Fieldcrest Road. Building permits have been issued to construct a drive-thru ATM at 125 N. Fieldcrest Road. A Draper Small Area Plan introductory meeting was held July 22 at Draper Christian Church.

Uptown Eden

The location of 651 Washington Street will be occupied by Revived Vintage, leaving its former location of 600A Monroe Street vacant; however, a new tenant has been identified for that space. Southern Julep is moving to 619 Monroe Street; its former location of 711 Washington Street will host a pottery shop. There are plans to move a gymnastics group from Greensboro to the former armory building at 615 Henry Street. The Dip Bar opened at 640 Washington Street. An announcement for a new business coming to 620 Henry Street is expected soon. A free-standing ATM has been constructed at 726 Washington Street with expectations for it to be operational by mid-September. Uptown merchants continue to host Friday evening

events on the first Friday of each month. A favorable article about Uptown Eden was recently published in Explore Rockingham magazine.

Other

Pedestrian Plan

It is expected for the plan to be presented to Council in late summer/early fall.

Unified Development Ordinance

Letters were mailed to the 331 property owners affected by Zoning Case Z-21-11, providing them notice that the zoning was changed to Business General and Business Highway.

The Planning Board met on July 27 to consider:

- (1) Z-21-13 to rezone property on Sanderlyn Court and Peppermill Trail identified by the Rockingham County Tax Dept. as PIN 7978-0068-0616, PIN 7978-0058-8513, PIN 7978-0058-8770, PIN 7978-0058-9561 and PIN 7978-0068-8552 from Residential 12 to Residential Mixed Use.
- (2) Z-21-14 to rezone property at 312 Bridge Street from Business General to Residential 12.
- (3) Z-21-15 to rezone property at 1128 and 1130 Friendly Road from Residential-Agricultural to Heavy Industrial.

Date: August 5, 2021
TO: The Honorable Mayor and Eden City Council
THRU: John Mendenhall, City Manager
FROM: Cindy Adams – Staff Representative – Strategic Planning Commission
RE: Funding Request

Time is requested at the August 17, 2021 Eden City Council meeting to consider the below projects that the Eden Strategic Planning Commission has approved to be implemented during the 2021-2022 calendar year.

Morehead High School Shadowing Program - \$1000

The shadowing day is set for March 17, 2022. We will be working with Leslie Graves at the high school who will select a group of Morehead High School Students that will participate in a day-long shadowing experience with city employees. These students will be introduced to all types of jobs within the city that will include Public Works, Public Utilities, City Hall, Fire Department, Parks & Recreation and the Police Department. Students will be treated to both breakfast and lunch. This program was conducted 2 years ago very successfully.

Entrepreneurship Program – Up to \$20,000

Small Business is the lifeblood of the U.S. economy. It represents 99.7% of all employment firms, employs half of all private sector employees and pays 44% of the total U.S. private payroll. Randy Hunt has established the Rockingham Entrepreneurial Assistance Program (REAP). This program is designed to help business owners receive the assistance they need to operate the most efficient and profitable companies, thereby paving the way for long term success. The REAP Program proposed to hold a series of classes in Eden in the Spring of 2022 for prospective and current business owners. They will be conducted by Andrew Santulli. He is a business counselor with the Small Business Technology Development Center in Greensboro.

We would like to allocate up to \$20,000 in funding during the 2021-2022 fiscal year to help pay for the instructor cost for this series and to cover the costs associated with the establishment of a Service Corp of Retired Executives (SCORE) in Eden. SCORE offers entrepreneurs helpful guidance for their business. Currently, one exists in Reidsville and we would like to offer the same resource in Eden.

Eden Drive-In Night/Movies Under the Stars - \$4000

The group would like to host an Eden Night at the Eden Drive-In and conduct 3 outdoor movie nights. One will be utilized at Winterfest in December. The other two could take place in Grogan Park, in the Downtowns, Pool, Freedom Park, etc. The costs include the rental of a 20-foot screen, sound, and the movie. This would be free to the public.

Kayak Lessons for Middle Schoolers - \$1360

We will accept 12 middle schoolers for these instructional classes that will take place early summer 2022. The classes will include 1 in the Classroom, 4 in the Pool and 1 on the River. Each session will be two hours. The costs include instructors from Three Rivers Outfitters along with rentals of kayaks, paddles and safety vests.

We are asking that the **Mural/Art Project** concept only be considered. No money is being requested at this time. Notes are attached.

MURAL/ART PROJECT

1. Identify Communities/Neighborhoods
 - a. Currently looking at areas with City Parks-May not be suitable
 - b. Identify potential wall(s) for mural or land for art
 - c. No wall-other art work?
 - d. Prioritize Communities
 - i. Criteria-TBD
 - e. Publicize Plan-2-3 years implementation
2. Identify location for public meeting (first priority community)
 - a. Identify addresses in community and mail invitation/Code Red
 - b. Hold public meeting get input for mural/art and ask for volunteers for committee
 - i. Formal application for committee
 - ii. City decide on committee members (interest, enthusiasm, team player, what bring to table)
 - iii. Committee to:
 1. Talk with owner of building/land-permission/interest
 - a. City draw up document for owner to sign
 2. Draft design for mural/art
 - a. City to provide facilitator for meetings (refreshments?)
 - b. Require group buy in before moving on
 - c. Focus meetings on 1-2 decisions (manageable number that could be discussed and concluded by end of meeting)
 - d. End meeting on time and with appreciation
3. City select artist-contract
4. Artist do preliminary design of mural/art
 - a. City have committee agree to design
 - b. City to have owner sign second agreement with design (5 year commitment)
 - c. Public Meeting to share design with community???
5. Paint Mural/Create/Install Art

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, July 20, 2021 at 6 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	Neville Hall
Council Members:	Darryl Carter
	Gerald Ellis
	Jerry Epps
	Angela Hampton
	Phillip Hunnicutt
	Bernie Moore
	Bruce Nooe
City Manager:	Jon Mendenhall
City Clerk:	Deanna Hunt
City Attorney:	Erin Gilley
News Media:	Roy Sawyers, Rockingham Update

MEETING CONVENED:

Mayor Hall called the regular meeting of the Eden City Council to order and welcomed those in attendance. Pastor Jerry Epps of First Church of the Living God gave an invocation followed by the Pledge of Allegiance led by Interim Fire Chief Todd Harden.

PROCLAMATIONS AND RECOGNITIONS:

- a. Recognition: Dr. John Dabbs – 25 years of service in Eden

Mayor Hall called on Economic Development Director Mike Dougherty.

Mr. Dougherty said John Dabbs was an Eden native and a 1987 graduate of Morehead High School where he played football, ran track and wrestled. He graduated from East Carolina University, majoring in exercise science and biology. He then completed his chiropractic training at Life University in Marietta, Ga. John's wife, Debbie, was in Georgia at the same time attending the University of Georgia, but they did not meet until they were both in Osaka, Japan, as part of the U.S. Performance Team. During his time at Morehead High School, John got to know Dr. Robert Vaughn of Eden Chiropractic. After he graduated, John was given a job with Dr. Vaughn in 1996. Upon Dr. Vaughn's retirement, John took over the practice. Before and after purchasing the practice, John was very involved in the Eden community by serving as a team doctor at Morehead High School, covering all sports and treating athletes at no cost. He was on the board of directors for the Eden Rescue Squad, UNC-Rockingham Health Care and the Eden YMCA. He was part of the Rockingham County Bible Education Group, a member of the City of Eden's Parks, Recreation, Open Space and Greenway Commission, and the BB&T Advisory Board. He previously served on the board of directors for United Way, Eden Chamber of Commerce and Eden Salvation Army. He was a former performance natural body builder and a nutritionist, in which he incorporated wellness into peoples' lifestyles. Both John and Debbie operated the Cheerworks cheerleading training program in Burlington for three years and won a national championship in 1998. John coached eight national championship teams in Atlanta and Burlington. He was a man of faith and a devout Christian, which was obvious in the way he conducted his life. He was certainly one of the nicest and caring people God had put on earth. When asked about Eden, John said the City would give back tenfold what you gave it. He continued to say if it took a village to raise a family, then Eden had been that village for his family. His equally talented wife was a former teacher and presently a physical therapist who ran Pro-Therapy Concepts. Their twin sons, Will and Tyler, played college football at N.C. State University and have since graduated. The couple would be part of a multi-discipline medical practice in Eden that would be announced in a few weeks which would be exciting for Eden.

Mr. Dougherty noted it would be his last meeting giving out plaques. He thanked City Clerk Deanna Hunt for her graphic design assistance over the years. He also thanked Dr. Dabbs for all he had given as a volunteer and

professional to the community. Mayor Hall presented Dr. Dabbs with a plaque recognizing his 25 years of service in Eden.

Dr. Dabbs said it was an honor just to be recognized. He recalled when he was ready to graduate, he did not hesitate when Dr. Vaughn offered him the opportunity to come back to Eden. Debbie was gracious enough to come as well from Atlanta. He remembered Debbie's shock when they first moved to Eden and she called him to say there was a tractor driving down the road as that was not something she saw in Atlanta. He acknowledged that it took a village to raise a family and Eden provided that for them. He and Debbie wanted to give back to Eden some of what it had given to them. Dr. Vaughn and Dr. Bill McLeod were fantastic men who were influential throughout his life. Being able to return to Eden and work with them had been great. He was also thankful to bring in Dr. John LeSueur, another Rockingham County native who decided to return to the county. He thanked the City for having them and for their support.

b. Proclamation: Dr. Bill McLeod

Mr. Dougherty said Dr. Bill McLeod was born and raised in Windsor in Ontario, Canada. He married his wife Cathy in 1973, which was before he decided to be a physician requiring him to work all hours of the day and night. She had a master's degree in education. Bill attended the University of Western Ontario's medical school and finished his training in 1983. In 1993, former Morehead Memorial Hospital President Bob Enders recruited Dr. McLeod and his practice partner Dr. Nigel Buist to Eden to begin Women's Health Centre. Dr. McLeod and Dr. Buist pursued the student health centers in Rockingham County, which were based on the Teen Health Centers in Windsor, Canada. When they came to Eden, there were deficiencies in health care because so many families could not afford proper medical care. Dr. McLeod credited former Morehead Memorial Hospital Marketing Director Sylvia Grogan with securing the needed grants to fund the student health centers. In 2011, Eden sought the All-America City Award offered by the National Civic League. Each year, 10 cities were selected for the award, which involved submitting an application with three transformative projects for the community. For Eden, the projects were the Dan River Basin Association, Rockingham County Education Foundation and the Student Health Centers. After making a 10-minute presentation of the three projects to the All-America City judges in Kansas City, the section on the student health centers was found to be very impressive and moving for the judges. Mr. Dougherty recited an excerpt of the City's presentation because it was difficult to appreciate the impact of the student health centers unless heard directly from those who benefitted from the centers:

Cathy DeMason, former director of the student health centers: "We are trying to change the health status of our young people. I am the director of the student health centers. Adolescents have the lowest utilization of health care services of any age group. Two Eden physicians had an idea to improve those numbers. The student health centers became the biggest collaborative project in our county with every health agency involved. Today, the health centers are in our four high schools and are open every school day. We have about 14,000 visits each year."

Dr. Bill McLeod: "I serve as medical director. We have four physicians who volunteer to read those 14,000 charts. We also establish medical protocols and are always on call."

Student Dezbee McDaniel: "When I sprained my ankle, I thought I could tough it out. My dad was laid off and I did not want to run up medical bills. I went to the student health center and they checked it out and gave me crutches. They give all the athletes a free sports physical! And I can go to the health center if I have a sore throat or something."

Myla Barnhardt: "I volunteered to be a board member when I had children at the high school. Parents say they do not have to leave work to take a child to the doctor. Parents who have children with chronic illnesses are so appreciative. But some of our most important work is crisis intervention."

Morehead High School student Annie: "In December, I was in world history class when we had a code red that means something serious has happened and the teacher has to lock the door and keep the students in the classroom. Later, I was called to the office. The code red was for my older brother. He had tried to commit suicide at school. I felt so guilty because I had seen him get something out of the medicine cabinet that morning. The health center's psychologist met us at the hospital. She helped me cope with my guilt. Then I started meeting with her at school. Depression runs in my family. I had always known I needed somebody to talk to."

Morehead High School student Thomas: “My mom makes a lot of bad decisions. I cannot count how many times I have seen one of her boyfriends hit her. One time I had to call EMS because she overdosed on pills. I was so upset. I went to the student health center and they talked to me for four hours. They set me up with a counselor and she taught me how to manage my own anger. If it had not been for the health center, I would have dropped out. I live with my dad now and I am doing better.”

Mr. Dougherty stated that it was not just physical issues that the student health centers addressed, but it was psychological and emotional ones as well. Eden won the All-America City award in part because of the depth of caring shown by Dr. McLeod, Dr. Buist and the other professionals who served the children of the community. More recently, Dr. McLeod served on the hospital board when it went through bankruptcy and its transition to UNC-Rockingham. He had been the Eden Lions Club President twice and delivered more than 4,000 babies during his time in Eden. The McLeod family located to Eden due to a commitment to family and the Eden community. Dr. McLeod and his wife had three sons: Billy, who lived in Wilmington; Kyle, who lived in Greensboro; and Trevor, who lived in Colorado. In retirement, the couple were remaining in Eden because they thought its future was bright. The City was sorry to lose such a caring physician to retirement but it was beyond well-deserved.

On behalf of the City Council, Mayor Hall read a proclamation in tribute of Dr. McLeod’s service to the community.

Mayor Hall added that the McLeods were not only neighbors of his, but also friends. He stated that Ms. McLeod had the most decorative curling career of anyone in Eden.

Dr. McLeod thanked everyone in attendance. He gave a special thanks to Ms. Grogan, noting that she was the big impetus in his being in Eden. The McLeods came from a large city in 1992 with their three young boys as they were seeking a change in their lifestyle because of the way they were worked in Canada. Not only were they uprooting from a city where Dr. McLeod was born and raised, but they were moving to a community with a population of roughly 25,000. He recalled buying three houses in his lifetime, one in Eden that he never saw, another in Canada that he never saw and the third that he refrained from speaking about. His wife picked out the home in Eden and he felt that was the first big step towards moving to Eden as he was unsure if she was ready to make the commitment to the community. However, what made them make the commitment was the people in the community. There was a strong commitment to family and community, which was what they discovered when they moved to Eden. It had continued to remain the same, which was why they had decided to remain in Eden. They were completely committed to the community and its success. On behalf of his wife who made the decision to move to Eden, he thanked everyone in attendance.

Proclamation in honor of Dr. William J. McLeod

WHEREAS, Dr. William (Bill) McLeod moved to Eden from Windsor in Ontario, Canada to open Women’s Health Centre in 1992; and

WHEREAS, Dr. McLeod and his business partner, Dr. Nigel Buist, successfully lobbied for the establishment of student health centers in all four Rockingham County high schools to serve those students who were receiving inadequate healthcare; and

WHEREAS, thousands of high school students have received beneficial health services and the Rockingham County Student Health Centers comprised one of the three projects that led to the City of Eden winning the National Civic League 2011 All-America City Award; and

WHEREAS, Dr. McLeod has twice served as Eden Lions Club President, an organization that provides vision services for Eden and Rockingham County citizens; and

WHEREAS, during his time practicing in Eden, Dr. McLeod has delivered more than 4,700 babies and has spent countless hours - day and night - caring for Eden and Rockingham County women; and

WHEREAS, through his participation in its Board of Directors, Dr. McLeod helped lead Morehead Memorial Hospital through bankruptcy and into the UNC Healthcare system where it has hope to serve future generations of Eden and Rockingham County citizens;

NOW, THEREFORE, BE IT PROCLAIMED that the Eden City Council does hereby honor Dr. Bill McLeod for his vision and almost three decades of dedication to his patients and the students of Eden and Rockingham County.

This the 20th day of July, 2021

CITY OF EDEN

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

SET MEETING AGENDA:

A motion was made by Council Member Moore to set the meeting agenda. Council Member Hampton seconded the motion. All members voted in favor. The motion carried, 7-0.

PUBLIC HEARINGS:

a. (1) Consideration of a zoning text amendment to (1) amend Article 4.02(A) Base Zoning Districts to add f. Business, General District (BG) as a base zoning district and to re-letter the remaining districts from f, g, h and i to g, h, i and j; (2) to amend Article 5.06 Table of Permitted Uses to add B-G as a district and indicate uses as permitted (P); permitted with supplemental use standards (PS); or requiring a special use permit (S); and (3) to amend Article 7.09 Permanent Sign Types Requiring Permits Subsection A. Attached Signage Standards and Subsection C. Ground Signage Standards in Non-Residential Zoning Districts to add BG as a Zoning District and the standards for the BG district. Zoning Case Z-21-10.

(2) Consideration of a resolution adopting a statement of consistency regarding the proposed text amendment to amend Article 4.02 (A), Article 5.06 and Article 7.09 of the UDO.

Mayor Hall declared the public hearing open and called on Director of Planning and Community Development Kelly Stultz.

Ms. Stultz said it had been discussed over the last several months that there was a need expressed by the community that the Business General (BG) district was something that needed to be returned to the City's land use regulations. The Planning Board unanimously approved the amendment to include BG in the Unified Development Ordinance (UDO). Planning Department staff recommended in favor of the request.

Council Member Carter asked what the difference was between BG and B-G.

Ms. Stultz said B-G was the format that was used in the old ordinance and because the City did not have hyphens in every district, the hyphen was removed resulting in BG.

Council Member Carter asked if B-G went away.

Ms. Stultz answered yes, along with B-Highway. All of the hyphens had been removed from the district names.

Mayor Hall said the zoning district was Business General and it could be abbreviated however was desired.

Ms. Stultz agreed.

Council Member Carter said he was questioned earlier and wanted clarification for the record in regards to the BG that was currently in place and the BG that was previously in place. He questioned if they were the same.

Ms. Stultz said BG was not currently in place because Council had not approved to reestablish it yet. However, if Council did approve to reestablish BG, it would be the same with the exception of adult businesses that were presently only allowed in industrial zones.

Council Member Carter asked if SP was included in the old BG district.

Ms. Stultz said there were some uses that required a special use permit in the old regulations that were still needed under the UDO. When PS was attached to a zoning district, especially in the automobile and dealership districts, there were always standards within the zoning district itself and the very same standards had been moved into the new ordinance. Those standards were in the ordinance when BG was not; therefore, it was still the same thing.

As there was no further discussion, Mayor Hall declared the public hearing closed.

Council Member Hunnicutt made a motion to adopt a text amendment to (1) amend Article 4.02(A) Base Zoning Districts to add f. Business, General District (BG) as a base zoning district and to re-letter the remaining districts from f, g, h and i to g, h, i and j; (2) to amend Article 5.06 Table of Permitted Uses to add B-G as a district and indicate uses as permitted (P); permitted with supplemental use standards (PS); or requiring a special use permit (S); (3) to amend Article 7.09 Permanent Sign Types Requiring Permits Subsection A. Attached Signage Standards and Subsection C. Ground Signage Standards in Non-Residential Zoning Districts to add BG as a Zoning District and the standards for the BG district; and to approve a resolution adopting a statement of consistency regarding the proposed text amendment to amend Article 4.02(A), Article 5.06 and Article 7.09 of the UDO. Council Member Ellis seconded the motion. All members voted in favor. The motion carried, 7-0.

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT 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, Article 4.02(A) Base Zoning Districts of the Unified Development Ordinance is hereby amended as follows:

1. Subsection d. Neighborhood Mixed Use (NMX) is amended by deleting “B-G” as a Previous District.
2. Add Subsection f. Business, General District (BG), Previous District(s): B-G and a description as follows: The B-G Business Districts are generally located on the fringe of the central business district and along major radial highways leading out of the city. The principal use of land is for dispensing retail goods and services to the community and to provide space for wholesaling and warehousing activities. Because these commercial areas are subject to public view and are important to the economy of the area, they shall have ample parking, controlled traffic movement, and suitable landscaping.
3. Subsections f., g., h. and i. are renumbered to g., h., i., and j.

APPROVED, ADOPTED AND EFFECTIVE, this 20th day of July, 2021.
CITY OF EDEN
BY: Neville Hall, Mayor
ATTEST: Deanna Hunt, City Clerk

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT 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, Article 5.06 Table of Permitted Uses of the Unified Development Ordinance is hereby amended as follows:

1. Add the following uses under B-G:
 - A. RESIDENTIAL

Dwelling – Multi-Family (3 or more units)	PS
Dwelling – Multi-Family Conversion	PS
Dwelling – Single Family Attached (Townhome)	PS
Residential Care Facilities (More than 6 residents)	PS
 - B. LODGING AND ACCOMODATIONS

Bed and Breakfast Facilities	PS
Hotel/Inn	P
 - C. OFFICE AND SERVICES

Banks, Credit Unions, Financial Services	P
Dry Cleaning & Laundry	P
Funeral Homes/Crematoria	P
Medical Clinic	P
Personal Care Service	P
Pet Care Service	P
Personal Care Service, Restricted	PS

Post Office	P
Professional Office/Service	P
Veterinary Service	P
D. COMMERCIAL AND ENTERTAINMENT	
Alcoholic Beverage Sales or Services	P
Outdoor Amusement or Theme Park	P
Indoor Amusement	P
Auction Sales	P
Automobile/Vehicle Sales, Rental, Service & Minor Repair	PS
Bar/Tavern/Microbrewery	P
Bicycle Sales & Repair	P
Cabinet, woodworking and upholstery shops	P
Drive-Thru/Drive-In Facility (principal or accessory)	PS
Games Arcade Establishment	PS
Gas/Fueling Station	PS
General Commercial (50,000 sf and under)	P
Golf Course	S
Country Clubs with golf courses	S
Hardware, Home Center Sales/Services	P
Heavy Equipment/Manufactured Homes	
Rental/Sales/Service	P
Night Club	P
Open Air Retail	PS
Outside Sales	PS
Parking Lot/Structure (Principal Use)	P
Pawnshops	PS
Restaurant	P
Shooting Range, Indoor	P
Smoke & Tobacco Shop	PS
Theater, Indoor Movie or Live Performance	P
Theater, Outdoor	PS
Vehicle Rental (moving trucks)	PS
Vehicle Service (major repair/body shop)	PS
E. MANUFACTURING, INDUSTRIAL & WHOLESALE TRADE	
Contractors' offices and storage yards	P
F. EDUCATION AND INSTITUTIONS	
Business Associations, Non-profits & Civic Clubs	P
Child/Adult Day Care (8 or less)	P
Child/Adult Day Care (more than 8)	P
College or University (limit size of 5,000 sf on first floor)	PS
Community Support Facility	P
Conference/Convention Center	P
Special Events Center	P
Hospital	P
Museum/Library/Cultural Facility	P
Public Administration/Civic Meeting Facilities	P
Public Safety Station	P
Recreation Facility (Indoor)	P
Recreation Facility (Outdoor)	P
Religious Institutions	P
School (vocational/technical)	P
Sports Arena/Stadium	S
Studio (art, dance, martial arts, music)	P
G. AGRICULTURE AND FORESTRY	
Community Gardens/Crop Production	P
Kennels (indoor)	P
Kennels (outdoor)	PS
Nurseries and Garden Centers	P
Produce Stands	PS
H. COMMUNICATIONS, TRANSPORTATION & INFRASTRUCTURE	
Rail Station	S

- | | |
|--|----|
| Utilities (Class 1) | P |
| Utilities (Class 2) | P |
| Wireless Telecommunications Facility (non-tower) | PS |
| Wireless Telecommunications Tower | PS |
| I. OTHER | |
| Accessory Structures | PS |
| Seasonal Sales Establishments | PS |
| Special Events | PS |
| Temporary Construction Offices | PS |
| Temporary Health Care Structures | PS |
| Temporary Shelter | PS |
2. Add Auction Sales as a permitted use in B-C and B-H.
 3. Add Cabinet, woodworking and upholstery shops as a permitted use in B-C, B-H, L-I and H-I.
 4. Add Country Clubs with golf courses as a permitted use in RA and a use with a special use permit
 5. R-20, R-12, R-6, RMX, NMX, and OS.
 6. Add Contractors’ offices and storage yards as a permitted use in B-H, LI and HI.

APPROVED, ADOPTED AND EFFECTIVE, this 20th day of July, 2021.

CITY OF EDEN
 BY: Neville Hall, Mayor
 ATTEST: Deanna Hunt, City Clerk

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT 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, Article 7.09 Permanent Sign Types Requiring Permits of the Unified Development Ordinance is hereby amended as follows:

1. Subsection C. Attached Signage Standards is amended by adding BG as a Zoning District.
2. Subsection D. Ground Signage Standards in Non-Residential Zoning Districts is amended by adding the following:

Zoning District	Square Footage	Height	Sign Base	Total Number of Signs
BG	20 square feet	6’	Monument	1 sign per site

APPROVED, ADOPTED AND EFFECTIVE, this 20th day of July, 2021.

CITY OF EDEN
 BY: Neville Hall, Mayor
 ATTEST: Deanna Hunt, City Clerk

A RESOLUTION ADOPTING A STATEMENT OF
 CONSISTENCY REGARDING
 PROPOSED AMENDMENT TO THE
 CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE
 CASE NUMBER Z-21-10TEXT
 AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160D-604, all City of Eden zoning decisions must be made in accordance with the Land Development Plan. Prior to adopting or rejecting any zoning amendment, the City of Eden Planning Board shall advise and comment in writing as to whether the proposed amendment is consistent with the Land Development Plan and why the Board considers the action taken to be reasonable and in the public interest; and

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; and

WHEREAS, the City Council of the City of Eden adopted a Unified Development Ordinance on October 20, 2020, to become effective on January 1, 2021; and

WHEREAS, the citizens of the City of Eden voiced opposition to the removal of the Business- General district from the zoning regulations; and

WHEREAS, the City of Eden Planning Board initiated a text amendment to add the Business- General District to the Unified Development Ordinance and to amend the setback and sign regulations as necessary; and

WHEREAS, at their meeting on June 22, 2021, the Planning Board recommended approval of the text amendments to the City Council

STATEMENT OF NEED:

This amendment was submitted to make a change in the Unified Development Ordinance (UDO) which was effective on January 1, 2021.

Based upon evidence of the community standard on business zoning districts these amendments are recommended.

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 finds that this amendment will be consistent with the goals and policies expressed in the Land Development Plan, including, but not limited to, strategically locating new land development in appropriate places; maintaining the city's character; using infrastructure investments as effectively as possible, attracting new jobs and a more diverse tax base; and protecting natural, cultural and historic resources and open space with growth consistent with our Growth Strategy Map and Future Land Use Map;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD THAT:

- 1. The City Council of the City of Eden finds that the proposed amendments to the City of Eden Unified Development 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, nor 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 Unified Development Ordinance are reasonable and, in the public's best interest.

Approved, adopted and effective this 20th day of July, 2021.

CITY OF EDEN

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

- b. (1) Consideration of a zoning map amendment to rezone 331 properties previously zoned BC, BH, NMX, OS, R12, R20, RA and listed on the attached spreadsheet to BG and BH.

- (2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendments listed on the attached spreadsheet to BG and BH.

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

Ms. Stultz said there had been discussion over the past several months regarding parcels that used to be zoned as BG but had since been changed to various zoning districts. The houses that were previously zoned to BG had been proposed to be changed to residential wherever possible as it made more sense. One of those was a property owned by Smith River Holdings, LLC, that was formerly split lot zoned as R20, Business Highway (BH) and Office Institutional. In staff's original recommendation, it was zoned R20. The property owner raised an issue with that in June. Ms. Stultz initially recommended that the entire lot be zoned BH because split lot zoning was not something that was desired in Planning. Staff had even tried to eliminate split lot zoning during the UDO process because it was confusing and difficult for property owners. If Council desired to split the lot, Ms. Stultz recommended they reinstate the R20 portion and make the rest of the lot BH. Ms. Stultz said she had 37 maps available on a presentation that she would share with Council if anyone was interested in seeing a specific one.

Mayor Hall said Map No. 37 was the map that showcased the proposed split lot zoning.

Ms. Stultz displayed power point slides of Map No. 37 that outlined the property in question. One slide showcased what the UDO originally recommended for the property and if approved by Council, another slide showed what the property would look like if it were to be split, which showed the pink portion being classified as BH and the same portion that used to be R20 would remain R20.

Council Member Hunnicutt asked if the request from the property owner was for the entire lot to be zoned BH.

Ms. Stultz said that was her understanding. There had since been concerns raised in the community and while it was not her first choice to recommend to split zone the lot, she felt that may be an option Council wished to consider after having spoken with some of the Council members about the matter.

Council Member Hunnicutt said he assumed it was permissible to split zone the lot if Council was able to alter the recently adopted UDO. He asked if the property owner was OK with the modification of their request.

Katrina Snow, owner of the property in question, said she also owned four parcels that joined the subject property. In September of 1965, Highway 14 came through the area, splitting her family's land in half that they had owned for 100 years. On the original highway proposal, her grandfather was given the option to maintain BH, which was highlighted in pink on the slide. The property was ultimately split in which BH remained as such and stayed consistent with all other properties connecting to Highway 14. Her tax card had always read "Commercial Land with Residential." When the zoning changed in January, the entire property became R20. Ms. Snow asked for her zoning to be returned intact to what it had been since 1965. She stated there had been a lot of misconceptions; one being that she had sold her property, but she had not as she was the sole member of Smith River Holdings, LLC. She had a document from the Secretary of the State supporting such. The property had always belonged to the Snow family and it still did. She did not plan to tear down her house or go into business with Amazon, Sheetz or an industrial park. She added that she had maintained the property, along with the other four parcels, that totaled 20 acres to the most impeccable standards that anyone could see and she planned to keep it that way. She was not trying to destroy the neighborhood of Rhoulac Knolls because she owned quite a few properties in that development that she loved. She respectfully requested to have her property made whole again and expressed her appreciation for Council's time.

Frank Fix of 117 Farrell Street said he sent an email to Council and based on the reply he received from Council Member Epps, he was told to bring as many people as possible to the present Council meeting. He also received a history lesson that he did not appreciate. Mr. Fix said he wanted the attendees to think about how they would respond if the current situation was affecting their property, neighborhoods and families. He had been a resident of Eden for 39 years and he and his wife, Tamara, had been homeowners for 20 years. When they were considering the purchase of their property, Mr. Fix was proactive at performing his due diligence of the tax records of the neighborhood. As of December 13, 1999, when the purchase of his property was made final, all of the properties in the neighborhood, including Ms. Snow's property at 109 Farrell Street, were zoned R20. He and his wife made the decision to buy their property with a lifetime commitment to it, including their retirement. They were both unaware of the zoning being

anything other than R20 and would not have invested in the property if it had been anything otherwise. They also made improvements to the property over the years, some of which were do-it-yourself projects and others that were larger improvements performed at a greater expense by local contractors. They tried to support local businesses when available and had also had their property appraised on two separate occasions for the purpose of home improvements, of which were performed using two properties from equal R20 neighborhoods. The first improvement was a major roof reconstruction and repair at a cost of \$17,000 and the second improvement was the addition of a handicap equipped master suite at a cost of \$37,000, both using local creditors and contractors. They would not have invested in the two improvements if they knew the zoning would later be changed. When each of the projects were completed, their property tax increased in an extreme amount, which they assumed was to protect their families and homes from harm of all kinds such as physical, financial and political. He and his wife both received separate letters that a zoning change was made without notification and a hearing was to be granted by the Eden City Council. The property at 109 Farrell Street was up for consideration of R20 and BH. They were both devastated and in disbelief when they read the letters as all of their work and dreams of retirement were shattered with the possibility of a zoning change to a business. Mr. Fix said he performed his due diligence and was proactive in his effort against the property becoming BH. He had copied his letter from the City and circulated it to residents of the neighborhood in order to let them make their own decision in regards to attending the present meeting. He notified by email Council Member Epps, who was the representative for Ward 4, as well as all of the other members of the City Council prior to the hearing. The zoning change affected the entire neighborhood and would impact the value and resell value of all the homes within the neighborhood. It appeared to him that an attempt was being made to change the neighborhood drastically in the near, foreseeable future. The properties at 109 Farrell Street and 113 Farrell Street changed on December 17, 2020 from residential ownership to business ownership under Smith River Holdings, LLC; therefore, it was still a business holding in the neighborhood. All of the changes gave the appearance of a severe business change in the neighborhood. The change of the property's zoning from R20 to BH would enable present and future owners of the neighborhood's property to operate some type of business development. The results of the zoning from R20 to BH would not only drastically decrease their property and resell values, but would impact the chances for their children or grandchildren to inherit properties of value. The neighborhood was up for changes that would affect the future and livelihood for neighborhood residences of the City. He again asked Council to consider what their response, reaction and vote would be if such a change were affecting their property, neighborhood and families.

Council Member Hunnicutt asked Mr. Fix if he was stating that the adjoining properties to 109 Farrell Street were R20 prior to the purchase of his property and since thereafter.

Mr. Fix said yes.

Council Member Hunnicutt said that was inconsistent with what Council had previously been told. He asked Ms. Stultz to clarify as she had previously said it was a split-zone property.

Ms. Stultz said the property had been split-zone. One piece of the confusion in regards to 109 Farrell Street was that the portion of the property where the house sat had been BH until recently. The section that was yellow on the displayed map was R20. She believed that because the zoning case stated there were four parcels that were going to be BH, it had caused some conversation that perhaps some of the other parcels that Smith River Holdings, LLC owned that happened to back up to Mr. Fix's property and the rest of the neighborhood were being zoned BH, but they were not. The other BH parcels were located somewhere else on Highway 14. The property had been split-zoned as long as Ms. Stultz had been familiar with the property, which was since 1990. Ms. Stultz showed a slide that demonstrated what the property zoning looked like in December of 2020 followed by another slide that showed what the property zoning looked like in January after the UDO was adopted. The property owner desired to have back at least what the property previously had. The proposed change would provide a buffer between Mr. Fix and any business property.

Council Member Hunnicutt said the property had been R20 for seven months and if Council approved to change it back to what it was prior to January 1, it would be consistent with what it had been for decades.

Ms. Stultz said that the change would make the property consistent with how it had been ever since she had been employed with the City.

Mr. Fix said he agreed with what Ms. Stultz said in relation to where the properties were split. However, if Council allowed the entire property to become BH, it would cause a problem because it would invade into the neighborhood and create another area to be connected.

Council Member Hunnicutt asked Mr. Fix if he was ok with the proposal as shown on the slide where the property would be split-zoned as that was what the City was working towards achieving.

Mr. Fix answered yes.

Mayor Hall told Mr. Fix that he did not respond to his email because it came from a Rockingham County email address and he did not want to get involved with different municipalities and governmental agencies over a personal matter.

Mr. Fix said he understood and explained that it was the only email address he had and he wanted Council to be aware of what was going on.

Adrian Meeks of 807 Washington Street said she missed the part where Mayor Hall asked if anyone wanted to speak in favor of the amendment and she was in favor of it. All of the property owners present at the meeting wanted back what they previously had and it was apparent what all of the changes had caused. She stated that Ms. Snow’s property was pristine and she did exactly what she said she would do. All that Ms. Snow wanted was what she previously had.

As there was no further discussion, Mayor Hall declared the public hearing closed.

Council Member Hunnicutt made a motion to adopt a zoning map amendment to rezone 331 properties previously zoned BC, BH, NMX, OS, R12, R20, RA and listed on the attached spreadsheet to BG and BH with the exception of the parcel on Map No. 37 belonging to Smith River Holdings, LLC that shall be zoned with the portion bordering Highway 14 to BH and the portion nearest the residential area fronting Farrell Street to be zoned as R20, as well as the adoption of a statement of consistency regarding the proposed map amendments. Council Member Carter second the motion. All members voted in favor. The motion carried, 7-0.

ORDINANCE OF THE CITY OF EDEN

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

Section 1 - Change from Business-Central, Business-Highway, Neighborhood Mixed Use, Open Space, Residential-12, Residential-20 and Residential-Agricultural to Business-General the following properties:

PIN	Parcel Number	Current Zoning	Subject Property Address				Type
			Number	Dir	Name		
707016920848	182184	NMX	323	W	STADIUM	DR	
707007680260	104694	BC	623		MORGAN	RD	
707014440181	106292	NMX	713		CHURCH	ST	
707016930358	106652	NMX	307	W	MEADOW	RD	
709011675306	111932	BC	104	N	FIELDCREST	RD	
797910377485	138345	NMX	927		WASHINGTON	ST	
707008990945	104914	NMX	918		VIRGINIA	ST	
707018421382	107372	BC	0		IRVING	AV	
797910371276	138326	NMX	955		WASHINGTON	ST	
797906477616	137360	BC	704		HAMILTON	ST	
797906477779	137362	BC	804		WASHINGTON	ST	

MINUTES OF THE EDEN CITY COUNCIL: REGULAR MEETING 7-20-21

797907589936	137604	NMX	0		BOONE	RD
797907690093	178854	NMX	634		BOONE	RD
708010351195	109221	NMX	313	E	MEADOW	RD
707007673630	169001	BC	545		MORGAN	RD
709007672641	110958	BC	121	N	FIELDCREST	RD
709007672572	111925	BC	0	N	FIELDCREST	RD
707014235085	105952	NMX	117	S	OAKLAND	AV
797909272103	138126	NMX	1000		WASHINGTON	ST
797906478857	137370	BC	802		WASHINGTON	ST
707019521300	107525	BC	301		GLOVENIA	ST
797906470634	137232	NMX	915		WASHINGTON	ST
797907683449	137670	NMX	718		BRIDGE	ST
797907592580	137626	NMX	556		BRIDGE	ST
797907598814	137641	NMX	0		REEVES	ST
709007597051	110910	NMX	0		OFF MAIN	ST

MINUTES OF THE EDEN CITY COUNCIL: REGULAR MEETING 7-20-21

PIN	Parcel Number	Current Zoning	Subject Property Address			
			Number	Dir	Name	Type
707016825998	106629	NMX	324	W	MEADOW	RD
707007680438	104643	BC	702		MORGAN	RD
707016820896	181192	NMX	354	W	MEADOW	RD
707015639202	106532	NMX	103		BOONE	RD
707015639048	106530	NMX	111		BOONE	RD
707015720983	106608	NMX	0		BOONE	RD
707016826662	181190	NMX	0	W	STADIUM	DR
707007675668	104677	BC	0		MORGAN	RD
707007677609	104680	BC	554		MORGAN	RD
709007585251	110897	NMX	0	W	FIELDCREST	RD
709007586235	110904	NMX	1431		FIELDCREST	RD
797907690453	137644	NMX	606		BOONE	RD
709016843560	112606	NMX	515	S	FIELDCREST	RD
709016845323	112608	NMX	523	S	FIELDCREST	RD
707018311788	107162	NMX	215		BRIDGE	ST
709010464844	167166	NMX	1230		RIDGE	AV
797907596585	137635	NMX	0		REEVES	ST
707019504768	107428	NMX	602		TAYLOR	ST
707018317450	107184	NMX	310	N	BRIDGE	ST
797907590747	137493	NMX	530		BRIDGE	ST
797909271035	138102	NMX	1004		WASHINGTON	ST
709007580499	110874	NMX	1425		FRONT	AV
709007584363	179643	NMX	1422		FRONT	ST
709007594232	110924	R12	1503	E	MEADOW	RD
707018207818	107035	NMX	301	S	HAMILTON	ST
707018219238	107064	NMX	0		HAMILTON	ST
707018219334	107065	NMX	0		HAMILTON	ST
707018219451	107066	NMX	0		HAMILTON	ST
707018310267	107071	NMX	0		IRVIN	AV
707018216192	170157	NMX	239	S	HAMILTON	ST
707018208995	181035	NMX	300		HAMILTON	ST
707018216421	170637	NMX	233	S	HAMILTON	ST
708010350216	108152	NMX	318	N	PIERCE	ST
707015647671	106589	NMX	205		MORGAN	RD
796912852018	133630	NMX	0		NC RT 135	
797907595483	137633	NMX	607		MOIR	ST
707018429138	107398	BC	307		GLOVENIA	ST
709011673346	111927	BC	107	N	FIELDCREST	RD
709011672492	111928	BC	107	N	FIELDCREST	RD

PIN	Parcel Number	Current Zoning	Subject Property Address			
			Number	Dir	Name	Type
796904528756	133404	NMX	0		NC 135	
707018317414	107183	NMX	308		BRIDGE	ST
797906498693	137485	NMX	529	N	BRIDGE	ST
797906499587	167313	NMX	0		MONCURE	ST
707018219884	107072	NMX	0		BRIDGE & HAMILTON	
797907596607	137634	NMX	0		MOIR	ST
797907598638	137640	NMX	601		BOONE	RD
796912851270	133160	NMX	0		HWY 770 & 135	
797907770941	180217	NMX	0		BUSINESS PARK	DR
797906379506	138347	NMX	923	W	WASHINGTON	ST
707018425333	107380	BC	606		IRVING	AV
707018229151	174435	NMX	107	N	BRIDGE	ST
707018219979	174436	NMX	206	S	HAMILTON	ST
707013224897	105951	R12	906		SECOND	ST
707016834275	170448	NMX	333	W	MEADOW	RD
707011672490	176111	BC	519		MORGAN	RD
797907593348	137625	NMX	568		BRIDGE	ST
797906474592	138414	NMX	900		WASHINGTON	ST
797909272393	138128	NMX	995		WASHINGTON	ST
797907690295	137643	NMX	610		BOONE	RD
798906388183	168625	NMX	303		ARBOR	LN
797906378512	138346	NMX	0		WASHINGTON 800 BLK	ST
796904539207	133424	NMX	1863		NC 135	HW
796904630211	133426	NMX	0		NC 135	HW
796904538203	133423	R20	1879		NC 135	
709011674144	111929	NMX	101	S	FIELDCREST	RD
709011674170	111930	NMX	105	S	FIELDCREST	RD
709010467456	111604	NMX	1302		STADIUM	DR
709011675321	111933	BC	100	N	FIELDCREST	RD
709010466410	111601	NMX	1230		STADIUM	DR
709011676210	111936	NMX	1504	E	STADIUM	DR
709010356094	112401	NMX	215	S	HALE	ST
707014430859	106152	NMX	712		CHURCH	ST
707014431809	106241	NMX	710		CHURCH	ST
709007587224	110906	NMX	1435		FIELDCREST	RD
707019508213	107443	NMX	519		BOONE	RD
707015648804	106598	NMX	217		MORGAN	RD
707019721429	180437	NMX	206		BOONE	RD
707007680226	104642	BC	627		MORGAN	RD
797907685247	137674	NMX	724		BRIDGE	ST

PIN	Parcel Number	Current Zoning	Subject Property Address			
			Number	Dir	Name	Type
707014334603	106116	NMX	742		CHURCH	ST
707007676848	104679	BC	420	W	AIKEN	RD
709007584559	110894	NMX	0		MAIN	ST
797907587840	137595	NMX	0		BRIDGE	ST
797907587938	173838Z1	NMX	614		BRIDGE	ST
707018422264	107371	BC	619		IRVING	AV
707018311611	107154	NMX	226		MONROE	ST
707018312467	107160	NMX	725		IRVING	AV
707018318321	107192	NMX	314		BRIDGE	ST
797910364213	138286	NMX	814		HARRIS & MCCONNELL	
709016842703	112602	NMX	505	S	FIELDCREST	RD
796904628069	133455	NMX	2261		HARRINGTON	HW
797907684034	169537	NMX	598		KINGS	HW
707120900036	164578	NMX	922		VIRGINIA	AV
709007584994	110901	NMX	232		MAIN	ST
707015637339	172185	NMX	0		CHURCH	ST
709007674574	111931	BC	112	N	FIELDCREST	RD
707008991808	104929	NMX	912		VIRGINIA	ST
707008994738	104937	NMX	904		VIRGINIA	ST
709011672063	111869	NMX	0	E	STADIUM	DR
709011673077	111875	NMX	1440	E	STADIUM	DR
707008990656	104913	R12	815		VIRGINIA	ST
797907582924	137537	BC	0		600 BLK MONROE	ST
797907593026	137549	BC	601		BRIDGE	ST
797907593051	137550	BC	603		BRIDGE	ST
797907584932	137562	BC	0		BRIDGE	ST
797907583987	137563	BC	605		BRIDGE	ST
797907683766	137671	NMX	714		BRIDGE	ST
797907591344	137610	BC	561		BRIDGE	ST
797907591309	137611	BC	0		500 BLK BRIDGE	ST
709007585109	110895	NMX	0	W	FIELDCREST	RD
709011752468	111959	NMX	0	S	FIELDCREST	RD
709011752504	111960	NMX	325	S	FIELDCREST	RD
797906472657	137349	NMX	901		WASHINGTON	ST
796904624988	133459	R20	1822		NC 135	
709011675414	111934	BC	108	N	FIELDCREST	RD
707018401932	107242	NMX	406	N	BRIDGE	ST
797907591609	137613	NMX	536		BRIDGE	ST
797907598577	167314	NMX	607		BOONE	RD
707015647356	106587	NMX	0		WAREHOUSE	ST

PIN	Parcel Number	Current Zoning	Subject Property Address			
			Number	Dir	Name	Type
707015647496	106596	NMX	127		MORGAN	RD
797909170284	138058	NMX	1117		WASHINGTON	ST
797907594536	137629	NMX	613		MOIR	ST
797910372390	138334	NMX	945		WASHINGTON	ST
797910275018	138135	NMX	982		WASHINGTON	ST
797910376125	138339	NMX	936		WASHINGTON	ST
707015635959	106521	NMX	103		MORGAN	RD
709010465633	111596	NMX	1233	E	STADIUM	DR
709010464777	111597	NMX	111	N	HUNDLEY	DR
797909169920	138055	NMX	1010	W	WASHINGTON	ST
797907594249	137628	NMX	0		JAY & BRIDGE	
797907595327	137630	NMX	0		JAY	ST
797907591289	137617	BC	565		BRIDGE	ST
796904636065	133470	R20	1792		NC 135	HW
709011673268	111926	BC	103	N	FIELDCREST	RD
709007592092	110890	NMX	239	N	MAIN	ST
709007673780	110975	BC	122	N	FIELDCREST	RD
709007674762	110976	BC	1504		RIDGE	AV
709007581975	110878	NMX	0		MEADOW	RD
709007582862	110881	NMX	0		MAIN	ST
709007583846	110884	NMX	0		MAIN	ST
709007583861	110885	NMX	229		MAIN	ST
709007583853	110886	NMX	0		MAIN	ST
709007583916	110887	NMX	0		MAIN	ST
709007583922	110888	NMX	0		MAIN	ST
709007583930	110889	NMX	0		MAIN	ST
797910370259	138224	NMX	963		WASHINGTON	ST
707014422667	106200	BC	215		THE BOULEVARD	
707018420465	107236	BC	730		OAK	ST
707014422554	107375	BC	223		THE BOULEVARD	
707018424486	107381	BC	605		IRVING	AV
707018427266	172410	BC	259		THE BOULEVARD	
796904627694	133462	NMX	2271		HARRINGTON	HW
707018400600	107146	NMX	413		BRIDGE	ST
709010356279	111419	NMX	137	S	HALE	ST
707011657062	174126	NMX	221		MORGAN	RD
797910378064	138312	NMX	924		WASHINGTON	ST
707018318267	107190	NMX	316		BRIDGE	ST
707007673759	104673	BC	557		MORGAN	RD
797910278301	138214	NMX	969		WASHINGTON	ST

PIN	Parcel Number	Current Zoning	Subject Property Address			
			Number	Dir	Name	Type
707018319201	107198	NMX	320		BRIDGE	ST
709007674633	110974	BC	0	N	FIELDCREST	RD
709011664982	111886	NMX	111	S	FIELDCREST	RD
707018227357	107079	NMX	147	S	HAMILTON	ST
707018320236	107086	NMX	100		BRIDGE	ST
707018319155	107197	NMX	322		BRIDGE	ST
707007675653	104676	BC	546		MORGAN	RD
707007675546	105555	BC	544		MORGAN	RD
707007676583	105559	NMX	512		JONES	ST
707018429350	107401	BC	279		THE BOULEVARD	
707014333614	106111	NMX	11		THE BOULEVARD	
707018314821	107169	NMX	220	N	BRIDGE	ST
707018315624	107172	NMX	226	N	BRIDGE	ST
797909179263	138080	NMX	1009		WASHINGTON	ST
797909270223	138081	NMX	1007		WASHINGTON	ST
797907592230	137616	BC	571		BRIDGE	ST
797906476752	137358	BC	810		WASHINGTON	ST
707016838393	106649	NMX	317	W	MEADOW	RD
707018314784	107173	NMX	222		BRIDGE	ST
707018316550	163677	NMX	300		BRIDGE	AV
709009153273	111267	NMX	868	E	STADIUM	DR
707014227734	106001	NMX	131	S	HAMILTON	ST
707018422391	107373	BC	613		IRVING	AV
707018423345	107374	BC	0		IRVING	AV
707018311825	107156	NMX	211		BRIDGE	ST
707014226932	105999	R12	125	S	OAKLAND	AV
798906481295	168626	NMX	660		PIERCE	ST
707016824752	106627	NMX	344	W	STADIUM	DR
707020822391	181189	OS	338	W	STADIUM	DR
796904633020	133457	R20	1838		NC 135	
707014349121	106185	NMX	715		CHURCH	ST
707018226478	107074	NMX	137		HAMILTON	ST
797906398687	137336	NMX	511		HENRY	ST
707011673007	105484	BC	501		MORGAN	RD
797907582897	137548	BC	0		MONROE	ST
707016932272	106670	NMX	304	W	MEADOW	RD
707016935626	106684	NMX	0		MEADOW	RD
707018313611	107165	NMX	225	N	BRIDGE	ST
707018313595	107168	NMX	229		BRIDGE	ST
707016938848	106700	NMX	215	W	MEADOW	RD

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PIN	Parcel Number	Current Zoning	Subject Property Address			
			Number	Dir	Name	Type
707016939966	106707	NMX	217	W	MEADOW	RD
707018206828	107031	NMX	904		IRVING	AV
797907580825	137442	BC	603		MONROE	ST
797907581998	137538	BC	600		MONROE	ST
797906399917	137337	NMX	434	N	HENRY	ST
707018229461	107083	NMX	140		HAMILTON	ST
707011676413	105556	BC	0		MORGAN 500 BLOCK	RD
707011676418	105557	BC	536		MORGAN	RD
707007675543	105554	BC	542		MORGAN	RD
709007583195	110891	NMX	1421		FIELDCREST	RD
708010350141	108151	NMX	0		MEADOW	RD
708014340986	108155	NMX	302	N	PIERCE	ST
797910372112	138329	NMX	952		WASHINGTON	ST
707016727867	181193	NMX	0	W	MEADOW	RD
707018308755	107138	NMX	405		BRIDGE	ST
707018219230	107063	NMX	815		IRVING	AV
707018309767	107142	NMX	405		BRIDGE	ST
707014226873	105998	R12	127	S	OAKLAND	AV
707016823757	106626	NMX	350	W	STADIUM	DR
707014238114	106022	NMX	0		HAMILTON	ST
707014237093	106002	NMX	117	S	HAMILTON	ST
707016828525	107656	NMX	328	W	STADIUM	DR
797907599787	137645	NMX	527		BOONE	ST
707018312659	107161	NMX	221		BRIDGE	ST
707015730287	106611	NMX	102		BOONE	RD
797907598305	137637	NMX	611		BOONE	RD
797907599142	178852	NMX	618		BOONE	RD
707014227604	106000	NMX	0		FIRST	ST
797906478776	137372	NMX	707	S	PATRICK	ST
797906479741	137373	NMX	0		PARTICK STS & BURTON	ST
707018421131	107367	BC	625		IRVING	AV
707018422108	107370	BC	0		IRVING	AV
796916840727	133581	BH	0		NC 135	
707016838098	106632	NMX	320		W MEADOW	RD
797907682808	173840Z1	NMX	636		BOONE	RD
797910376399	138343	NMX	0			
707018317376	107191	NMX	312		BRIDGE	ST
709016842654	112601	NMX	509	S	FIELDCREST	RD
797907596029	137631	NMX	0		BRIDGE	ST
797907595188	137632	NMX	602		BRIDGE	ST

Subject Property Address

MINUTES OF THE EDEN CITY COUNCIL: REGULAR MEETING 7-20-21

PIN	Parcel Number	Current Zoning	Number	Dir	Name	Type
707015639586	172123	NMX	413		CHURCH	ST
797906399634	137334	NMX	511	N	HENRY	ST
707007672888	104674	BC	0		MORGAN	RD
707011673201	105546	BC	515		MORGAN	RD
707015646294	106584	NMX	117		MORGAN	RD
707018309070	137339	NMX	0		TAYLOR	ST
797906490809	137345	NMX	504		HENRY	ST
707015645274	106568	NMX	112		SHORT MORGAN	ST
707015646270	106571	NMX	0		MORGAN	RD
707015646134	106567	NMX	113		MORGAN	RD
707015646157	106569	NMX	115		MORGAN	RD
797907675969	137663	NMX	45		BRIDGE	ST
709009156362	111271	NMX	902	E	STADIUM	DR
709011674084	111879	NMX	107	S	FILEDCREST	RD
798917016223	141275	NMX	441		MEBANE BRIDGE	RD
707015638332	106525	NMX	404		CHURCH	ST
707015637379	106526	NMX	414		CHURCH	ST
707015638442	106527	NMX	412		410&412 CHURCH	ST
707015638450	106528	NMX	410		CHURCH	ST
796904631634	133463	NMX	0			
709011675395	111937	BC	1507		STADIUM	DR
709007683142	110999	BC	1504		MILL	ST
709007684127	111000	BC	0		HIGH	ST
709007684049	111001	BC	0		HIGH	ST
708113039608	110010	RA	1257		VIRGINIA	ST
709007584988	110900	NMX	0		MAIN	ST
709007594085	110903	NMX	238		MAIN	ST
706012775290	103211	NMX	13972		NC 87	
707015730173	106610	NMX	108		BOONE	RD
707018308961	107139	NMX	401		BRIDGE	ST
707018410043	107147	NMX	401		BRIDGE	ST
708010350604	108150	NMX	332	N	PIERCE	ST
707120808344	108075	R12	0		VIRGINIA (900 BLK)	AV
707015647219	106586	NMX	121		MORGAN	RD
797909271256	138121	NMX	1003		WASHINGTON	ST
707016931463	106669	NMX	303		MEADOW	RD
797910279360	138221	NMX	963		WASHINGTON	ST
797910278371	138220	NMX	0		WASHINGTON	ST
707009052003	105831	RA	130		VINTAGE	RD
707013043997	105834	RA	13682		NC 87	HW

PIN	Parcel Number	Current Zoning	Subject Property Address			
			Number	Dir	Name	Type
707018216598	107057	NMX	225	S	HAMILTON	ST
797907690581	137678	NMX	500		BLK BOONE	RD
707018219534	107067	NMX	222	S	HAMILTON	ST
797910276391	138211	NMX	973		WASHINGTON	ST
796904633694	133468	NMX	1809		NC 135	HW
707007681122	104692	BC	621		MORGAN	RD
707008992386	104931	NMX	100	E	AIKEN	RD
707008994106	168961	NMX	722		VIRGINIA	ST
797907580795	137519	BC	615		MONROE	ST
707016937810	106692	NMX	229	W	MEADOW	RD
797907591682	174041	NMX	538		BRIDGE	ST
707008991513	104928	NMX	901		VIRGINIA	ST
707015648609	106597	NMX	209		MORGAN	RD
797909260993	138057	NMX	1006	W	WASHINGTON	ST
707015720665	106504	NMX	200		BOONE	RD
707015720757	106505	NMX	124		BOONE	RD
707015646009	106565	NMX	111		MORGAN	RD
707007681074	169282	BC	613		MORGAN	RD
707016924592	107657	NMX	0	W	STADIUM	DR
707016827924	182179	NMX	337	W	STADIUM	DR
707016924814	182185	NMX	310	W	STADIUM	DR
707018229417	107084	NMX	138	S	HAMILTON	ST

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

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 Unified Development Ordinance of the City of Eden is hereby amended as follows:

Section 1 - Change from Neighborhood Mixed Use and Residential-20 to Business-Highway the following properties:

Tract No.	PIN	Parcel Number	Current Zoning	Subject Property Address			
				Number	Dir	Street Name	Type
1	707120717063	107933	NMX	7449		NC 14	HW
2	707120719011	107935	NMX	7437		NC 14	HW
3	707120716002	107932	NMX	7467		NC 14	HW

Tract 4: All of PIN 708009056304, Parcel Number 108710, commonly known as 109 Farrell Street SAVE AND EXCEPT the following area:

BEGINNING at an existing iron pipe marking the northeast corner of Potacnak and being that parcel described in Deed Book 1082, page 1027, as shown on a plat of survey for Katrina Snow by C. E. Robertson & Associates, PC dated September 8, 2014, and recorded in Map Book 74, page 61 in the Office of the Register of deeds of Rockingham County; thence with the north line of Potacnak, South 74 degrees 31 minutes 55 seconds West 150.13 feet to an iron; thence North 15 degrees 31 minutes 59 seconds West 50.05 feet to an iron; thence South 74 degrees 11 minutes 09 seconds West 49.94 feet to an iron; thence North 15 degrees 41 minutes 14 seconds West 199.92 feet to an iron in the Southern line of Russell Street; thence with the Southern line of Russell Street, North 74 degrees 25 minutes 21 seconds East approximately 200 feet to a point; thence in a Southeasterly direction approximately 250 feet to the northeast corner of Potacnak as referred to above, the POINT OF BEGINNING.

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 July, 2021.

CITY OF EDEN

By: Neville A. Hall, Mayor

Attest: Deanna Hunt, City Clerk

A RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING
PROPOSED AMENDMENT TO THE CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE
CASE NUMBER Z-21-11 MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160D-604, all City of Eden zoning decisions must be made in accordance with the Land Development Plan. Prior to adopting or rejecting any zoning amendment, the City of Eden Planning Board shall advise and comment in writing as to whether the proposed amendment is consistent with the Land Development Plan and why the Board considers the action taken to be reasonable and in the public interest; and

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; and

WHEREAS, the City Council of the City of Eden adopted a Unified Development Ordinance (UDO) on October 20, 2020, to become effective on January 1, 2021; and

WHEREAS, the citizens of the City of Eden voiced opposition to the removal of the Business- General district from the zoning regulations; and

WHEREAS, the City of Eden Planning Board initiated a text amendment to add the Business- General District to the UDO and to amend the setback and sign regulations as necessary; and

WHEREAS, the additional of the Business-General District to the UDO requires map amendments of 327 parcels rezoned from Business-Central, Business-Highway, Neighborhood Mixed Use, Open Space, Residential-12, Residential-20 and Residential-Agricultural to Business-General and 4 parcels currently zoned Neighborhood Mixed Use and Residential-20 to Business-Highway; and

WHEREAS, at their meeting on June 22, 2021, the Planning Board recommended approval of the map amendments to the City Council

STATEMENT OF NEED:

This amendment was submitted to make a change in the Unified Development Ordinance (UDO) which was effective on January 1, 2021.

Based upon evidence of the community standard on business zoning districts this amendment is recommended.

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 finds that this amendment will be consistent with the goals and policies expressed in the Land Development Plan, including, but not limited to, strategically locating new land development in appropriate places; maintaining the city's character; using infrastructure investments as effectively as possible, attracting new jobs and a more diverse tax base; and protecting natural, cultural and historic resources and open space with growth consistent with our Growth Strategy Map and Future Land Use Map;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD THAT:

1. The City Council of the City of Eden finds that the proposed amendment to the City of Eden Unified Development 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, nor 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 Unified Development Ordinance is reasonable and, in the public's best interest.

APPROVED, ADOPTED AND EFFECTIVE, this 20th day of July, 2021.

CITY OF EDEN

By: Neville A. Hall, Mayor

Attest: Deanna Hunt, City Clerk

REQUESTS AND PETITIONS OF CITIZENS:

Mayor Hall asked City Attorney Erin Gilley to read the City's policy regarding public comments.

Jerry Thomasson of 1257 Virginia Street opted not to speak, stating his concern was previously addressed under Public Hearings.

Jeff Garrett of 611 Easley Road said it seemed that the City was headed in the right direction. The present meeting was the seventh meeting he had attended and he found it hard to try and fix or communicate the problems in three minutes that were created in over one year's time. He stated the mistakes that had been made were no accident, but rather an overreach. He felt there needed to be a deep dive so the same thing never happened to the citizens of Eden again.

Mayor Hall said he understood three minutes was not a long amount of time to speak, but he added that City Hall was open five days a week and if a citizen needed to come and speak to an employee or Council member regarding a specific matter, they would be given as much time as they needed. However, in the Council meeting forum, a time limit had to be given to speakers

Mr. Garrett said he had been attending board meetings and noticed that the Council did not attend the Planning Board meetings and the Planning Board members did not attend the Council meetings. No one hardly attended the public meetings.

Michelle Barnes of 634 Boone Road opted not to speak.

Frank Fix of 117 Farrell Street in Eden opted not to speak.

Tamara Fix of 117 Farrell Street in Eden opted not to speak.

Joan Spain of 136 Highland Avenue wished to speak in response to her neighbor, Jerry Thomasson, who wanted to zone his property to BG in a residential area. She had lived at her residence for 69 years. Her brother was in attendance with her at the meeting as well because he also owned property on the land. She questioned if something such as a junkyard could be put on Mr. Thomasson's property if something happened to him and the ownership changed.

Mayor Hall said junkyards were not allowed in BG. He questioned if the property was BG prior to the adoption of the UDO.

Ms. Spain said years ago it was.

Mayor Hall said Council just voted to rezone properties to BG if that was their previous zoning classification. He thanked Ms. Spain for attending.

Andrew Wright of 613 Morgan Road said what he previously wanted to talk about had already been discussed. His residential home was being changed to BG. He understood where all of the businesses on tax Map No. 19 had changed but he was unaware as to why his home was changing to BG.

Mayor Hall asked Ms. Stultz to explain to Mr. Wright why his residence was being zoned to BG and what his options were.

Ms. Stultz said that Council had temporarily waived fees associated with rezoning and she advised Mr. Wright that if he would come see Planning Department staff, he could apply to have his parcel zoned as a residential district.

Mayor Hall said if it was for residential use, he felt the homeowner had a really good chance of their rezoning request being approved and it would be at no charge.

Katrina Snow of 109 Farrell Street opted not to speak.

Antonio Bribies of 626 Bridge Street opted not to speak.

Adrian Meeks of 807 Washington Street said she wanted some clarification in terms of what Council voted on with the reinstatement of BG. She asked if the reestablished BG would be exactly like it previously was.

Ms. Stultz answered yes, except for adult businesses.

Ms. Meeks said she understood that if the property had a 'P' assigned to it, it meant the property was permitted. She asked what it meant if there was a 'PS' assigned to it.

Ms. Stultz said it meant there had always been standards in the City's ordinance for the properties, but they were always included in the zoning districts.

Ms. Meeks said she was under the understanding that Ms. Stultz had said everything had standards and questioned about the automotive businesses that had 'PS' under BG and 'P' under Industrial.

Ms. Stultz said no. In BG, there were four standards under Automotive prior to the UDO changes and there were still four standards under Automotive in the revised UDO.

Ms. Meeks asked if there were no standards under Industrial.

Ms. Stultz said the standards for Industrial were different, as they had always been.

Jesse Meeks of 807 Washington Street opted not to speak.

Marshall Moricle of 208 Portsmouth Drive said the neighborhood he lived in, which was The Village located behind the former Eden Mall, had always been a quiet area. While he was unsure if it was the event center or the civic center, there were several bands that had been playing recently with loud bases. His wife was fighting breast cancer and the doctors had advised her that she needed rest; however, they were not even able to sit outside without hearing the loud music. Their bedroom faced the mall from the back of their house and they could not even hear their television for the noise from the bands. The music started with the bands practicing on Friday nights around 4 p.m. and then the concerts starting around 4 p.m. on Saturdays, sometimes lasting until around 2 a.m. the following day. Mr. Moricle recently saw where the City was beginning to enforce the noise ordinance and while he could deal with loud cars that quickly drove by, the band noise lasted for several hours at a time. He had complained to the Police Department by telephone but they informed him there was nothing they could do about it because the center had a permit for the band to perform. He then went in person to the Police Department and was advised the same thing, in which they encouraged him to speak with the City Manager as he was responsible for approving the permits. However, he stated he would rather talk to Council because he figured they could do more about it.

Mayor Hall advised Mr. Moricle that Police Chief Clint Simpson would meet with him after the meeting to discuss the situation.

Mr. Moricle said he and his wife did not care if the bands played the music; they simply desired for the music to not be so loud. He said he went to the Police Department already and was told there was nothing they could do.

Mayor Hall said the Police Department would enforce the noise ordinance.

UNFINISHED BUSINESS:

There was none at this time.

NEW BUSINESS:

- a. Consideration of an Automatic Aid Agreement with the Draper Volunteer Fire Department and adoption of a resolution.

Mayor Hall called on Ms. Gilley and Interim Fire Chief Harden.

Interim Fire Chief Harden said he previously met with the command staff of Draper Volunteer Fire Department, as well as the command staff of the Eden Fire Department. Both had come to an understanding related to the mutual aid agreement, in which he felt it was a good benefit to both parties. He asked for Council's consideration to adopt the agreement.

Mayor Hall said the agreement was something previously discussed at Council meetings and it was a cooperation between the two agencies that was favored by both parties. It was previously voted on to establish the agreement.

Council Member Hunnicutt said the agreement made a reference that the City was conveying two of the City's former firetrucks. He asked if someone could provide an estimate of the value of the two firetrucks as he recalled that both had been taken out of service, one of which was damaged and could not be repaired, resulting in it being totaled by the insurance company. He believed the second truck did not pass a functional inspection. He wanted the public to be aware of the monetary value that was being conveyed.

Ms. Gilley said an advertisement ran in the newspaper as to the City's intent with what it planned to do with the firetrucks, which was a requirement when conveying property. The ladder truck was valued at approximately \$60,000 to \$70,000. The 1996 KME engine was valued at approximately \$6,000 to \$8,000. The ladder truck did not pass the required NFPA test for aerial devices, which was a safety issue; therefore, the Fire Department's command staff did not feel safe having that apparatus as a member of the fleet.

Interim Fire Chief Harden said the engine had a leaking tank and the pump was starting to show wear and would likely not pass its pump capacity test later in the year.

Council Member Hunnicutt said he did not have an issue with it; he simply wanted the public to be aware as everyone understood the City recently acquired two new fire apparatuses that cost a large sum of money. He did not want the public to have the perception the City was giving away apparatus with that same type of value.

Council Member Ellis asked Interim Fire Chief Harden how many people were staffed at the Draper Volunteer Fire Department.

Interim Fire Chief Harden replied that he did not have that information.

Council Member Moore made a motion to approve the automatic aid agreement and adopt a resolution for the agreement with the Draper Volunteer Fire Department. Council Member Ellis seconded the motion. All members voted in favor. The motion carried, 7-0.

A copy of the agreement is available in the City Clerk's office.

RESOLUTION TO EXCHANGE, CONVEY AND OR DONATE PERSONAL PROPERTY

WHEREAS, the City of Eden Fire Department owns two surplus vehicles that are at or are nearing the end of useful life: a 1991 Grumman Fire Care aerial truck, VIN IG9ACHDT4MR088234, that can no longer pass the require NFPA testing for aerial devices and is no longer being used in service, and a 1996 KME Freightliner, Vin IFV6JLCBXTL732908, that has a leaking tank and aging pump, "the property"; and

WHEREAS, the City of Eden Fire Department has no further use for the property and desires to enter into an agreement with Draper Volunteer Fire Department, hereinafter referred to as "Draper", whereby automatic aid assistance described in an attached agreement will be provided for all structure fire calls and whereby the two surplus vehicles will be conveyed to Draper for its use which will also include the automatic aid rendered in Eden's service area. Provision of optimal fire protection and beneficial ISO ratings are also desired; and

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

WHEREAS, the City of Eden desires to exchange, convey and or donate this aforementioned surplus and unused property to Draper Volunteer Fire Department, pursuant to N.C.G.S. §160A-271; 160A-280; and

WHEREAS, Draper acknowledges that it has had the opportunity to inspect the vehicles and that Eden has disclosed multiple deficiencies in the vehicles, including but not limited to the failed NFPA testing for aerial devices, the leaking tank and aging pump. Eden in no way guarantees, the quality, fitness or safety of the vehicles. Draper has signed an agreement wherein it will fully and completely release and agree to indemnify the Eden, and all of their employees, officers and agents from any and all personal injuries, including death and property damages and all claims, liabilities, demands, damages, causes of actions, suits, costs, expenses, attorney fees and interest, known or unknown, which it may now have or hereafter have arising directly or indirectly out of or related to the City's conveyance and Draper's use of the aforementioned vehicles; and

WHEREAS, the City of Eden has caused a Notice of Resolution to Donate Personal Property to be posted at City Hall for at least 5 days prior to the adoption of this Resolution and has caused a notice of intent to exchange this property to be published; and

WHEREAS, the City of Eden desires to comply with all obligations of North Carolina law and desires to donate this property so that it will be for a public use that will benefit the public; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Eden that the 1991 Grumman Fire Care aerial truck, VIN IG9ACHDT4MR088234 and the 1996 KME Freightliner, Vin IFV6JLCBXTL732908, be deemed surplus and unused and that they be exchanged, conveyed and or donated to Draper Volunteer Fire Department for its fire protection provision and for an automatic aid agreement.

APPROVED, ADOPTED AND EFFECTIVE this 20th day of July, 2021.

CITY OF EDEN

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

REPORTS FROM STAFF:

a. City Manager's Report

Mayor Hall called on Mr. Mendenhall.

Mr. Mendenhall highlighted the Citizens Academy detailed on the first page of the report as it was not held the previous year due to COVID-19. He was pleased to announce the City was accepting applications for the program and wanted to encourage anyone interested in City government to participate. He welcomed any questions related to the July City Manager's report.

Mayor Hall thanked Mr. Mendenhall for the report and stated that he had extra copies available for anyone wishing to have one and added that it was printed in Eden's Own Journal as well.

City Manager's Report
July 2021
City Manager Jon Mendenhall

ADMINISTRATION

The City of Eden is pleased to again offer a Citizens Academy in 2021. Applications for participants are being accepted through August 20. The academy will be held consecutive Thursdays from 5:30 to 7:30 p.m., beginning September 9 and running through October 21 with a graduation ceremony November 16 at the Eden City Council meeting.

The Citizens Academy is a free, seven-session interactive course designed to provide residents with an in-depth look into municipal government as well as information about the services and programs of the City of Eden. It is open to all community members 18 years old or older who are city residents or who live in the city's extraterritorial jurisdiction or work or own a business or property in the City of Eden. Class size is limited to 15 participants. A meal is provided at each session.

This is an exciting opportunity for residents to increase their knowledge about the workings of local government.

- Learn about city government operations and services
- Participate in dialogues with city leaders, staff and other civic-minded residents
- See taxpayers' investments at work
- Expand their knowledge and become more informed on current and proposed projects within the city
- Gain appreciation for the city's resources and capacity to meet the needs of the community
- Learn about opportunities to become more involved and help build a sustainable community
- Receive first-hand information and have the chance to ask questions on any topic at the end of the session
- Tour various city facilities

Applications are available in Administration at City Hall or download an application here: <https://www.edennc.us/.../12871/Citizens-Academy-Application> Applications can be brought to City Hall or emailed to the City Clerk at dhunt@edennc.us.

ECONOMIC DEVELOPMENT

Commercial

Dips by Chels-Now Open!

Chelsea Roberts opened her Dip Bar at 640 Washington Street, Suite A on July 9. She offers nail blends and powders for artificial fingernail overlays. You can learn more about Dips by Chels at www.dipsbychels.Etsy.com or by calling 336-637-6539.

H & B Hardware

Owner Greg Beasley continues to improve this ACE Hardware store located at 137 Cox Street in Eden. You can now buy all of your hardware needs in Eden. The store hours are 8 a.m. to 6 p.m. Monday through Friday and 8 a.m. to 1 p.m. on Saturdays. Stop by this store or call 336-623-3194.

Hotel Occupancy Tax

After a dismal 2020 with hotel occupancy tax revenue plummeting amid the COVID-19 shutdowns, Eden's revenue started rebounding in January (+2.5%) and February (5.1%). March and April saw record revenue and totals that put them in the top five months ever recorded. March was +272% and April was +323%. Business travel is the major reason for these increases as contractors are working to transform the former MillerCoors site into a state-of-the-art pet food manufacturing facility and residents are frequenting hotels again.

Pink Poppi-Coming Soon!

This is a new boutique and gift shop coming to 810 S. Van Buren Road. The soft opening will take place on August 3 with the ribbon cutting happening August 11 at 10 a.m. More information will be coming soon for this newest Eden store.

Industry

Acrow Bridges

This Eden company is located at 406 Summit Road across from Gildan Yarns. They are seeking a forklift operator and laborers for day shift work of 7 a.m. to 3:30 p.m. Pay is \$15 to \$17 per hour with benefits. If interested, apply at careers@acrow.com

Don Powell and Associates-Now Hiring

Don Powell and Associates is seeking an Office Manager: someone who knows MS Office, QuickBooks and how to administrate an office. Compensation is \$18 to \$24 per hour, depending on qualifications. To apply, call Don Powell at 336-637-8055 or email donpowell@powellandassociatesinc.com

Dyers Sheet Metal-Now Hiring

Dyers is hiring an experienced HVAC technician. Applicants should be HVAC certified or have at least one-year HVAC experience. Applicants should email or mail their resume to dyersm@embarqmail.com or P.O. Box 672, Eden, NC 27289 or stop by their office at 243 S. Hamilton Street in Eden.

Nestle Purina Jobs-Listed Jobs

Posted jobs include Maintenance Planner/Scheduler, Maintenance Electrician, Facilities Mechanic and Product Safety Quality Supervisor. Learn more about these Eden jobs at <https://jobs.nestlepurinacareers.com>

Signode-Eden

Signode-Eden is recruiting for the following entry level positions:

- Sub-Assembly Operator
This person will work in a rotating team environment to produce frame sub-assemblies. Candidate must be able to stand and lift for periods of time. Some noise and environmental exposures are likely.
- Recycle Material Handler
This person will manually move material in dump bins for wash line and utilize a forklift to move boxed materials within the pick and wash line process. Candidate must be able to stand and lift for periods of time. Some noise and environmental exposures are likely.

Flexible schedules available on a temporary basis (ideal for college students and working parents.) Interested candidates should contact Ameristaff in Eden (336-623-6252) or Debbie's Staffing in Martinsville (276-632-0000).

Weil-McLain-Now Hiring

Weil-McLain is recruiting first shift positions (6:30 a.m. to 5 p.m.) Monday through Thursday. They are seeking assemblers and material handlers. Additional positions can be found by visiting www.weil-mclain.com Interested candidates should apply through the website.

ENGINEERING

FY 2021-22 Street Resurfacing Contract, No. 1

The FY 2021-22 Street Resurfacing Contract, No. 1 is currently out for bid. The bid opening is scheduled for Tuesday, July 27. The contract includes the adjustment of utility structures, asphalt milling, leveling and the resurfacing on the following streets: Henry Street, Park Road, Knight Street, Taft Street and Mill Avenue. The work will be completed sometime in September or October.

NCDOT Street Resurfacing – Washington Street

The Sharpe Brothers completed the street resurfacing on Washington Street from Bridge Street to Hamilton Street in June. The installation of the permanent pavement markings is still pending.

MARKETING

Shaggin' on Fieldcrest

Put your dancing shoes on because Shaggin' on Fieldcrest returns on Saturday, July 24. The evening will feature the CAT Band from 7 to 10 p.m. Bring your lawn chairs and please, no coolers. We will have plenty of food and cold beverages. The event has free admission.

Summer Grown & Gathered

We are now taking reservations for our August 12 Summer Grown & Gathered dinner along the canal at the beautiful Spray Mercantile. Tickets are \$50 each or \$90 per couple and includes dinner, drinks, music and a take home gift. Call 336-612-8049 or email cadams@edennc.us to make your reservations. This event is always a sell-out, so please hurry.

RiverFest

We're back! RiverFest is going to be so much fun! Mark your calendars for September 17 & 18. We are now taking applications for food vendors, artisans and crafters. You don't want to miss it!

Oink & Ale

Thank you to everyone who attended our Oink & Ale event! The band was phenomenal! We had a record crowd that had a great time. Another huge thanks to all of our volunteers, brewers and vendors who helped make the night such a success. See you next year!

PARKS AND RECREATION

Bridge Street & Mill Avenue Recreation Centers

These two facilities will be open Monday through Friday from 10 a.m. until 6 p.m. Those attending may participate in basketball, pickleball, track walking or the playground.

The Mill Avenue Recreation Center offers the same services with the addition of a baseball field.

Freedom Park

Open daily from dawn to dusk, this park offers a walking track, nature trail, splash pad, skateboard park, basketball courts, miniature golf (open Friday, Saturday and Sunday 4-7 p.m.), playground, dog park, picnic shelters and an amphitheater.

Garden of Eden Senior Center

The Garden of Eden Senior Center offers paint classes, mahjonn, pickleball (mornings and evenings offsite), exercise classes, cornhole, knit and crochet, strength and balance, legal aid, quilt guild, Friends Club, bingo, watercolor classes, craft classes, senior technology classes and card games, along with assistance and referral for seniors. The center's community garden is producing and vegetables are being given away. The patio ribbon cutting was held on June 30.

Mill Avenue Pool & Freedom Park Splash Pad

Hours are noon until 6 p.m. daily (including weekends). The pool and splash pad can also be rented daily from 9:45 – 11:45 a.m. and also from 6:30 – 8:30 p.m.

Sports Programs

The City is now registering for an adult cornhole league and an adult/child kickball league. Registration has begun for the Prowlers football program for ages 5-12, as well as the football cheerleading program.

Summer Camp

Summer camp is being held at the Bridge Street Nutrition Center at the present time. The campers are participating in various activities daily such as swimming, skating, playing tennis and visiting the Freedom Park Splash Pad.

PLANNING & INSPECTIONS

Collections

Payments received from Rockingham County Tax Department during the month of June for code enforcement fees due to the City of Eden were \$628.23, bringing the total amount collected since July 1, 2020 to \$33,290.

Community Appearance Commission

The commission finalized work plan items for the upcoming fiscal year. A Community Appearance Award was given to The Hair Company on Monroe Street.

Inspections & Permits June 1-30:

Total Inspections Performed:	255
Total Permits Issued:	123

Local Codes and Inspections

Local code complaints have picked up considerably as they typically do this time of year; however, complaints continue to be addressed in a timely manner and notices sent as needed. Permits are being issued, contractors are getting what they need and the public's questions and concerns are being addressed. Complaints are being handled with a turn-around time from issuance of complaint to inspection usually being one to two days, often the same day. The inspectors are also checking other code violations as they see them out in the field, while submitting them to the office for notices to be sent:

Total Local Code Inspections Performed:	133
Local Code Notices Sent:	41
Local Codes Abated:	48
Sent to Facility Maintenance or Contractor:	27
Mowed by Facility Maintenance or Contractor:	24

Downtown and Economic Development Activities

The Boulevard

A second vote took place at the June City Council meeting that created a Municipal Service District for The Boulevard area. John Mark Daniel and volunteers created a mural at the corner of Irving Avenue and The Boulevard; this ongoing project is a joint collaboration with the N.C. Arts Council and the Eden Downtown Development Corporation.

Community

Staff attended the NCEDA conference and participated in UDO meetings and outreach. Plans are taking place for an Otter 5K Run on September 11.

The Cook Block

Staff met with property owners concerned with zoning and mural site selection.

Draper

Property has been leased by State Employees Credit Union to erect an ATM. The area has recently had an uptick in building activity, including façade upgrades, plans and purchase inquiries. Two buildings will be purchased early July, in which staff is working with the new owner about possible reuses and a mural. Draper Christian Church will host the City's Draper outreach meeting.

Uptown Eden

There is continual recruitment taking place for available properties, including 651 Washington Street that was vacated unexpectedly. The area coordinated the beer garden for Oink and Ale and delivered the Uptown Merchant tent purchased by the Leaksville MSD. The former location of Body Fit at 619 Monroe Street has been leased with plans for retail and hospitality. Property has been leased by State Employees Credit Union to erect an ATM. The owner of the Armory will make building improvements and lease the building to a gymnastics group from Greensboro. The area also awarded Building Rehabilitation Grants (BRG) and Façade grants.

Grants Under Management

COVID-19 CDBG Assistance to Low and Moderate Income Citizens Grant
Funds have been released but the City is waiting on paperwork from the State.

Draper CDBG

Funds have been released and work should begin soon.

Other

Pedestrian Plan

It is expected for the plan to be presented to Council in late summer/early fall.

Unified Development Ordinance

8,060 notices were mailed to property owners in the Eden jurisdiction giving them notice of the UDO workshops that had been scheduled for June 9, June 23 and July 7.

452 notices were mailed to property owners in the Eden jurisdiction that may be impacted by the proposed zoning amendment giving them notice of the Planning Board meeting and the items to be considered.

The Planning Board met on June 22 to consider:

- (1) Z-21-10 to amend the UDO to add Business General as a zoning district which required the amendment of Articles 4.02(A) Base Zoning Districts, Article 5.06 Table of Permitted Uses and Article 7.09 Permanent Sign Types.
- (2) Z-21-11 to rezone 331 properties previously zoned BC, BH, NMX, OS, R12, R20, and RA to BG and BH. The Planning Board voted to withdraw case Z-21-05 which would have permitted automobile related businesses in NMX.

- b. Report on advisory committee proceedings.

Mayor Hall called on Mr. Mendenhall.

Mr. Mendenhall said Interim Parks and Recreation Director Terry Vernon was assisting with the Dixie Youth Baseball Tournament and was unable to attend the Council meeting. However, he did report to Mr. Mendenhall that all of the participating youth and adult coaches were having a good time. On behalf of the Parks, Recreation, Open Space and Greenway Commission, Mr. Vernon said the commission did not meet in July but planned to meet in August with several points of discussion on their agenda.

Ms. Stultz said that Council was aware of the Comprehensive Plan in which the Planning Board was the steering committee and it was moving forward. The public portion of the Comprehensive Plan would begin

anew starting in August and September. Hopefully, the plan would be adopted by the deadline of January 2022. The Comprehensive Plan was seriously based on the public's input, which was what City staff was striving hard to achieve. The City Council would have its first townhall meeting on July 22 at 6 p.m. in the Draper area. She thanked Council Member Moore for arranging it at Draper Christian Church in the fellowship building. Everyone who would have interest in the Draper area had been invited to attend the meeting in an effort to find out what issues there might be that need to be addressed.

Mayor Hall clarified the City did not invite particular people to the upcoming meeting in Draper as the entire community was welcome to attend.

Ms. Stultz said the townhall meeting was the start of the next small area plan, which would be in the Draper MSD. The City looked forward to hearing from everyone at the meeting. The City's grants were finally moving forward and the State was releasing funds, in which City staff hoped to be able to use to assist citizens with in the upcoming weeks. The other boards and commissions were in the process of developing work plans that staff hoped to bring to Council in August or September. The Historic Preservation Commission was working on some local landmark designations of some mill properties and the hotel.

Council Member Hunnicutt asked if a date had been set for the second meeting of the chairs and vice chairs of the boards and commissions.

Ms. Stultz said no. She hoped they would be able to establish a second meeting date when they met in August.

CONSENT AGENDA:

- a. Approval and adoption of the (1) June 10, 2021 special meeting and (2) June 15, 2021 regular meeting minutes.

A motion was made by Council Member Carter to approve the Consent Agenda. Council Member Hampton seconded the motion. All members voted in favor. The motion carried, 7-0.

ANNOUNCEMENTS:

Mayor Hall reminded everyone of the special Council meeting on July 22 at 6 p.m. at the Draper Christian Church. Shaggin' on Fieldcrest, a popular event in the Draper area, would take place on July 24 and it was free to attend.

Mayor Hall stated that the City of Eden was in the process of updating its Comprehensive Pedestrian Plan and while the public comment meeting would take place in August, the City currently needed citizens to complete a survey in response to preliminary suggestions that the staff and steering committee members had made. The survey was available on the City's website under the Pedestrian Plan link in addition to paper copies that were available at the present Council meeting. Participants could complete the paper survey and return it to City Hall. Mayor Hall said the City was striving to obtain community involvement in the plan and therefore, he asked for people to take the time to complete the survey.

Council Member Epps thanked everyone who had worked on the UDO over the past three months and he was glad to see a resolution had been made. He thanked the public for taking part as well and instructed citizens to talk to Council anytime they had an issue. He appreciated the effort on both sides. He also asked for everyone to remember the family of the lives that were lost in the tragic drowning accident on the Dan River a few weeks ago. He said if there was anything one could provide to assist the family with, he knew it would be appreciated.

Mayor Hall said the Cars and Crabs event would take place on The Boulevard on July 31 from 10 a.m. until 1 p.m.

ADJOURNMENT:

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

Respectfully submitted,

Deanna Hunt
City Clerk

ATTEST:

Neville Hall
Mayor

CITY OF EDEN, N.C.

A special meeting - Draper Community - of the City Council, City of Eden, was held on Thursday, July 22, 2021 at 6 p.m. at Draper Christian Church, 1122 W. Fieldcrest Road. Those present for the meeting were as follows:

Mayor:	Neville Hall
Council Members:	Darryl Carter
	Gerald Ellis
	Jerry Epps
	Angela Hampton
	Phillip Hunnicutt
	Bernie Moore
	Bruce Nooe
City Manager:	Jon Mendenhall
City Clerk:	Deanna Hunt
City Attorney:	Erin Gilley
News Media:	Roy Sawyers, Rockingham Update

Staff present: Cindy Adams, Marketing & Special Events Manager; Tammy Amos, Director of Transportation Engineering; Paul Dishmon, Interim Director of Public Works; Randy Hunt, Community & Economic Development Specialist; Todd Harden, Interim Fire Chief; Debra Madison, GIS Analyst; Tammie McMichael, Director of Finance & Personnel; Clint Simpson, Police Chief/Assistant City Manager; Kelly Stultz, Director of Planning & Community Development; and Ray Thomas, Superintendent of Facilities & Grounds.

MEETING CONVENED:

Community & Economic Development Specialist Randy Hunt welcomed attendees to the meeting designed to address small area plans that recognized the opportunities for Draper to grow and thrive. He thanked the church for the use of the facility and explained there were boxes available for attendees to submit questions, ideas and comments. He highlighted some things happening in Eden: beginning in spring 2019 and throughout 2020, Eden had unprecedented economic development success including Gildan Yarns' \$4.5 million investment/75 new jobs; Night Owl's \$3 million/60 new jobs; EVBP \$1 million/18 new jobs; and Nestle-Purina's future \$600 million/350 new jobs. Most of the investment was within two minutes of the church. The Southern Virginia Mega Park at Berry Hill was the number one mega site in the region and Caesar's Casino would be opening in Pittsylvania County, creating 1,300 jobs. Draper downtown was the closest commercial location to the park. The housing market was exploding. Draper was on the cusp of something big and now was the best chance to plan for its future. Council and staff were in attendance to see what the City could do to support local development.

Mayor Hall thanked the church for the use of the facility and staff for putting the meeting together. There had been a lot of momentum in the Leaksville area and The Boulevard was starting to do well. The City needed to know what they could do to help Draper progress. He thanked everyone for coming, it meant a lot when people got involved

QUESTIONS AND COMMENTS:

Mr. Hunt read from the comment cards and addressed questions from the audience:

Minutes of the July 22, 2021 special meeting of the City Council, City of Eden:

- What are the plans for Draper school? Would the citizens be able to voice their concerns about what went in it?

Mr. Hunt advised the building was owned by Rockingham County Schools. As soon as the City was able to share any plans the school system had for the building, they would. He thought the school system would want community input. Some things were out of the City's control but the City wanted the right fit for the community as well.

- What would the town like to see at 101 and 105 S. Fieldcrest?

Mr. Hunt gave his email address and ask the attendees to let him know if they had ideas of what should be there.

- More meetings with merchants.

Mr. Hunt advised meeting had been difficult since the pandemic. There should be more meetings going forward since restrictions were lifted. The City did need input to develop a good, cohesive plan. Nestle-Purina had 188 vendors who would be in Eden to help them with their process. Now was the time for Draper to move forward. Draper was the economic powerhouse before consolidation. A lot of industry left and Draper was the most heavily affected. Investment was coming and Draper needed to be prepared for it.

- Currently, downtown Draper looked like three different sections: Stadium Drive to Ridge Avenue, Ridge Avenue to Mill Avenue and Mill Avenue to Meadow Road. Any plans to make it look like one downtown?

Mr. Hunt advised the city manager had taken the lead on that. He had instructed Mr. Hunt to make sure signage and branding was consistent. It was taking some time as they had run into material shortages and issues with signs on Duke Energy poles. He had not thought about the area that way but now that it was pointed out, it was something they could work on.

- Concern about gravel lot beside Jerry's Restaurant.

Mr. Hunt advised he had worked on the lot for probably a year and a half. Draper no longer had a bank or pharmacy, two things that anchored areas. Banks were closing all over the country as banking operations were moving online. The State Employees' Credit Union had signed leases last month for two areas in Eden to get ATMs. Building permits were issued earlier in the week for a drive-through ATM in the gravel lot and a walk-up ATM in Leaksville. That ATM would likely clean up the area.

- Clean up drug problem, need restaurants.

Mr. Hunt advised Railroad Café did a great job. Jerry's Restaurant had difficulty reopening. A Mexican restaurant would open in the former Tee's Pizza on Fieldcrest Road. The area did need more choices and they would continue to be recruited. It was expensive to retrofit old buildings for restaurants and they wanted to preserve the historic buildings. It was a good time to open a restaurant in the area.

Police Chief/Assistant City Manager Clint Simpson advised nationwide there was an opioid epidemic. Eden was currently far better off than it had been at times. They were continuing to make progress but it was a never-ending battle. There were two components: enforcement and getting people help. Eden never let up on enforcement, even during the pandemic. In the next few weeks, Eden would be part of the PORT (Post Overdose Response Team) program which had been successful in Reidsville. Mental health service providers

and law enforcement partnered to get users off of drugs. They needed community effort, if residents saw something they should let the department know as officers could not be everywhere. On the enforcement side, the department was targeting dealers.

- When is the hole in the building going to be fixed?

Mr. Hunt had talked to the property owner several times and suggested that building rehab grants may be available to help with that process. Some code enforcement had been eased during the pandemic but it was coming back. There was also a vacant commercial property listing which required that downtown buildings look like viable businesses. If there was not a tenant in a downtown building, it needed to be registered with the department. The intent was to make the buildings aesthetically pleasing. He would be back in touch with that property owner.

- Adding a boat access to Draper Landing.

Mr. Hunt advised a grant had been received from the Duke Energy Water Resources Fund to repair the landing when it had washed out as well as put a new one in at Klyce Street. The City owned the Klyce Street property and leased the Draper Landing property. It would be a great place for an access if they had extra money.

Council Member Ellis agreed. He would like if they could find some money to put in the access.

- What does Mr. Hunt do?

Mr. Hunt introduced himself and advised that he had lived in the area since 1993. In addition to other duties, he managed the Main Street program and Eden was one of two cities in the state that had two downtowns in the program, Draper and Leaksville.

- Restore the old theater.

Mr. Hunt liked that idea. The building had historical significance and was an icon. It was privately owned. They had those conversations with the property owner and would continue to do that.

- Art, art and more art.

Mr. Hunt said he was a proponent of public art. A new property owner in Draper had contacted him and said he wanted a mural on the side of one of his buildings. He noted that artist RaShaun Wilson was in attendance and said Mr. Wilson had an art studio in the middle of downtown. Mr. Wilson had been commissioned to do a quilt square for the Rockingham County Fine Arts Association and more importantly, had been commissioned by the Rockingham County Arts Council to do a mural that would go on the front of his building. It was progressing and looked great.

Mr. Wilson said the mural was based on things close to his heart. It was a beautiful painting and he hoped to have a grand opening for it in the spring.

- How many development grants are available for businesses and homes to use to upgrade the facades of businesses and housing in Draper? How much and how can we get information?

Mr. Hunt advised he was the contact person. There were façade grants available in the MSD (Municipal Service District) with funding set aside by City Council. He explained that the MSD was an area whose

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owners agreed to tax themselves above the normal property tax rate. The MSD then used those funds for things such as Christmas lights. Façade grants were available up to \$500 at a two-to-one match. The building rehab grant was made initially with the idea of converting some downtown buildings into restaurants. It was up to \$5,000. The Community Development Block Grant that was applied to some of the homes in the area had been put out for bid and that work should start soon.

Council Member Hunnicutt noted that the high demand for façade grants the last year had caused Council to replenish the funds midyear.

Mr. Hunt agreed. The buildings that received those grants looked good. The City wanted to be good stewards of the people's money.

- Can we get the neighbors in Draper not to have all this junk sitting on porches? This makes our city look like a dump. Eden was a beautiful place when I grew up. I was raised in Virginia but always loved coming to Eden. Things have changed. Let's get Draper cleaned.

Mr. Hunt agreed. There was a process in place for junk and high grass but it needed to be reported to the City before the process could start. It could be timely and it cost taxpayer money when people were not mowing their yards.

Council Member Ellis said they were looking in the future. Seeing rail coming back to Eden was important. He would like to see a rendering of what the area from the plants back through the Draper community could look like going forward and being cleaned out to some extent. The depot was a treasure and he would like to see it restored and repurposed. Many owners were holding onto their buildings and it was their property, but he would like the City to work with them and they were trying to. They needed to imagine what could be, not what had been. The future could be great for Draper.

Council Member Hunnicutt agreed with the potential for Purina, the mega park and the casino. He thought they were overlooking that a lot of what they needed was already here. The entire industrial base in Eden was pretty much east of Edgewood Road. There were hundreds of people 30 seconds away in the industrial park, on New Street and at Gildan. There was a lot of potential he did not feel they were taking advantage of. The City wanted to come to the community to let them know the City wanted to help. There was only so much the City could do. If there were code issues, they could get involved but it really came down to individual owners taking the initiative to clean up their buildings and make them available. He heard people were looking for buildings in Draper but were being told they were for storage and not available. He knew Council and staff wanted to help and do whatever they could but it should be partnership where people started making properties available and cleaning up. There was a huge amount of potential right now and even more coming.

Attendee Jennifer Boyte said the area had a lot of history. She wanted the community to come together and save the things they already had. There were many rental homes and she questioned why the owners allowed tenants to let their grass get high and to put furniture on the porch. Everyone needed to take responsibility to make it right.

Council Member Hunnicutt said in areas that were successful, one of the things that helped was to draw people to those locations, noting that Shaggin' on Fieldcrest would take place this weekend. He cited an event - Burgers and Bluegrass - he heard about in a small town. It cost the town nothing but drew hundreds. People had to come to get excited about an area.

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Ms. Boyte said if one person would take care of their property, the next person would want to take care of theirs. She asked what the City planned to do with the comments they had heard. She wanted to know if a plan would be made and where it would start.

Mr. Hunt advised this was a first in a series of meetings. He believed they needed to come where people were to get information. They intended to take the ideas and work through them. A lot of the things would not be solved overnight. They wanted this to be the beginning of the small area plan. He noted there were pedestrian plan surveys people could fill out to let the City know what they wanted, such as where they wanted sidewalks.

District Attorney Jason Ramey thanked the City for holding the meeting. Some of his fondest memories were at his grandmother's house on Ford Street, spending time at the Draper Recreation Center and the Draper Pool. Draper had a stigma attached to it that was unearned, it had no more crime than the rest of Eden and in fact he thought it was the area of town police had to respond the least to. The stigma had persisted throughout his life and he did not know why.

Council Member Hampton advised that she had just visited the state of Washington and saw how a small town had repurposed rail, using old trains to assist the homeless. She was a firm believer that doing something with the railroad was a good idea. The area had a lot of things and they needed to use those. They had a depot. She suggested raising funds and having an engine for train rides. She was a Draper girl and she loved it.

GIS Analyst Debra Madison reported that pedestrian plan surveys needed to be turned in by July 30. On Thursday, Aug. 19, there would be a public meeting at City Hall for the draft of the plan that would include all the survey data.

Planning & Community Development Director Kelly Stultz said the surveys could be submitted online or dropped off at City Hall.

Mr. Hunt agreed and noted the City's new website went live that day.

- What is the current zoning change, why make the change and who requested the change?

Mr. Hunt said the state mandated every municipality to unify their ordinances, creating a UDO (Unified Development Ordinance). The City's existing zoning had never been done that way. The City got in front of it before most other communities and hired specialists to help organize it. The people had spoken about some zoning changes they were unhappy with it and at Tuesday's night's meeting, some of the zoning had been changed back. There may be more properties that needed addressing. People were welcome to come to City Hall and have it taken care of at no charge.

Attendee Houston Barrow noted the county was also in the process of updating their UDO. A public hearing was continued for Aug. 16 for people who may be interested. Information could be found on the county's website.

City Manager Jon Mendenhall introduced himself and explained the intent of the meeting. They had great economic news. They were aware they needed broader community investment in their neighborhoods and downtown areas. It was not a competition between downtowns, each had its own strong points. Council had authorized small area plans. It may sound like the City was going to create a document and put it on the shelf as had been done often in the past but the small area plan was different. It was a cooperative effort. A consultant would come in and there would be a design, maps, meetings, some input about what the community would like to see and where. Those would be a continuation of this meeting. There was a concept

Minutes of the July 22, 2021 special meeting of the City Council, City of Eden:

called continuous improvement, which was to take one step and plan the next, continuously moving forward into the future. They were taking that concept and bringing it local with the small area plans. This was the beginning of the conversation. He encouraged everyone with their ideas. This was not City-initiated, they were only as strong as the community. The City was not a stand-alone entity. They were the representatives of the people. Draper was a great place and that stigma needed to be removed. They did not want to focus on the negatives of the past and together he thought they could do that.

ADJOURNMENT:

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

Respectfully submitted,

Deanna Hunt
City Clerk

ATTEST:

Neville Hall
Mayor



Engineering Department

308 E. Stadium Drive, Eden, North Carolina 27288

Phone (336) 623-2110 Fax (336) 623-4041

Memorandum

To: Honorable Mayor and City Council

Through: Jon Mendenhall, City Manager

From: Tammy Amos, Director of Transportation Engineering
Kevin London, Engineering Tech II

Date: August 17, 2021

Re: **FY 2021-22 Street Resurfacing Contract, No. 1**
Approval to Award

Please find attached a copy of the Street List and Bid Tabulation for the FY 2021-22 Street Resurfacing Contract, No. 1. Bids were received on July 27, 2021 at 11:00 a.m. A total of 4 responsive bids were received for the project. The successful low bidder was Waugh Asphalt, Inc. in the amount of \$240,682.90. The date of availability for the contract is September 1, 2021. The substantial completion date is October 29, 2021.

The Engineering Department is requesting Council's approval to award the contract to Waugh Asphalt, Inc. based on their bid amount shown above. If you have any questions or need any additional information prior to the Council meeting on this matter, please feel free to call me.

Thank You



FY 2021-22 STREET RESURFACING CONTRACT, NO. 1 (SRC 2021-22-01)
CITY OF EDEN, NORTH CAROLINA
BID TABULATION SCHEDULE
July 27, 2021 11:00 A.M.

Bid Item No.	Description	Unit	Est. Qty.	Waugh Asphalt, Inc. NC License # 59882		APAC-Atlantic NC License # 12459		Triangle Grading & Paving NC License # 17456		Adams Construction NC License # 20677	
				Unit Price	Extended Total	Unit Price	Extended Total	Unit Price	Extended Total	Unit Price	Extended Total
1	Adjustment of Manholes	EA	21	\$ 800.00	\$ 16,800.00	\$ 715.00	\$ 15,015.00	\$ 600.00	\$ 12,600.00	\$ 1,020.00	\$ 21,420.00
2	Adjustment of Valve Boxes	EA	8	\$ 800.00	\$ 6,400.00	\$ 695.00	\$ 5,560.00	\$ 600.00	\$ 4,800.00	\$ 1,005.00	\$ 8,040.00
3	Edge Milling Asphalt Pavement, 0 to 1.5" depth	SY	3,764	\$ 5.35	\$ 20,137.40	\$ 5.10	\$ 19,196.40	\$ 7.80	\$ 29,359.20	\$ 15.00	\$ 56,460.00
4	Edge Milling Asphalt Pavement, 0 to 2.5" depth	SY	166	\$ 7.35	\$ 1,220.10	\$ 28.80	\$ 4,780.80	\$ 23.00	\$ 3,818.00	\$ 47.00	\$ 7,802.00
5	Asphalt Concrete Leveling Course, Type S9.5B Virgin Mix	TON	40	\$ 118.00	\$ 4,720.00	\$ 220.00	\$ 8,800.00	\$ 220.00	\$ 8,800.00	\$ 178.00	\$ 7,120.00
6	Asphalt Concrete Surface Course, Type S9.5B Virgin Mix	TON	1,755	\$ 103.00	\$ 180,765.00	\$ 129.25	\$ 226,833.75	\$ 132.00	\$ 231,660.00	\$ 135.00	\$ 236,925.00
7	Shoulder Reconstruction, Incidental Stone (ASB)	TON	120	\$ 88.67	\$ 10,640.40	\$ 95.00	\$ 11,400.00	\$ 60.00	\$ 7,200.00	\$ 138.00	\$ 16,560.00
Total Bid Price (Items 1-7)					\$ 240,682.90		\$ 291,585.95		\$ 298,237.20		\$ 354,327.00

Alternate Bid Items											
A1	Asphalt Concrete Surface Course, Type RS9.5B	TON	1,755	\$ 95.00	\$ 166,725.00	\$ 115.50	\$ 202,702.50	\$ 120.00	\$ 210,600.00	\$ 117.00	\$ 205,335.00

The Lump Sum and Unit Prices in This Tabulation received on July 27, 2021
 Are As Given In The Bidder's Respective Bid Proposals

And The Totals Are Arithmetically Correct

Kevin London
 Engineering Technician II, City of Eden



Planning and Community Development Department

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: Jon Mendenhall, City Manager
From: Kelly K. Stultz, AICP, Director
Subject: **CDBG-Neighborhood Revitalization 18-C-3071; WR No. 08190260.00**
CDBG Program Manual- Updated and Supplemental Plans and Policies
Date: August 5, 2021

The purpose of this memo is to summarize the **CDBG Program Manual** for the 2018/2019 Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Program being presented for adoption at the City Council meeting. The City was awarded in late 2019 with 2018 funds.

Some Compliance Plans were adopted on June 16, 2020 for the City's CDBG-NR grant and expire June 2023. This CDBG Program Manual contains **updated and supplemental plans and policies** designed to meet requirements for participation in the 2018/2019 CDBG-NR program administered by the North Carolina Department of Commerce (DOC) Rural Economic Development Division (REDD). A complete copy of the **CDBG Program Manual** is located in the City Hall.

In the adoption resolution (front of the manual), the City authorizes the following persons, and/or successors so titled, to execute any grant related documents that do not require the Mayor's signature:

Kelly Stultz, City Planning & Community Development Director
Jon Mendenhall, City Manager

Consistent with the previously adopted plans, the City Planning & Community Development Director is designated as the primary compliance officer, with the City Manager listed as additional compliance officer in certain provisions. The manual includes ALL required supplemental CDBG

policies even though some of the activities may not be included in any specific CDBG project. The following provides a brief summary of the required items contained in the Program Manual.

- (1) **Equal Opportunity Plan**: The Plan ensures that the CITY maintains a policy that provides equal housing and equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, familial status, age, political affiliation, or any other merit factor, except where religion, sex, national origin, or age are bona fide occupation qualifications for employment.
- (2) **Procurement Standards Policy and Plan**: This Plan describes the different types of federal procurement. The standards are established in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (2 C.F.R. Part 200), HUD implementing regulations at 24 C.F.R. § 570.489(g), and any clauses required by Federal Statutes, Executive Orders, the CDBG Section 3 clause (24 C.F.R. 570.489 (g) and 24 C.F.R. 135.38). The CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER are designated as compliance officers.
- (3) **Residential Anti-Displacement and Relocation Assistance Plan**: This is the same plan adopted in June 2020, but with additional definitions for different types of housing units. The Plan requires replacement and provision of relocation assistance to anyone living in an eligible dwelling which is demolished or converted to use other than low/moderate income housing. The CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER are designated as compliance officers.
- (4) **Optional Coverage Relocation Plan**: The Plan provides for optional relocation benefits for occupants/tenants of dwellings being acquired for demolition, and those temporarily displaced during program activities.
- (5) **Acquisition Guidelines***: The Guidelines detail the objectives of the real property acquisition practices of the CITY. The Guidelines state that it is the CITY's intent to only acquire property in the approved project area (such as potential easements) to meet the aims and objectives of the CDBG program.
- (6) **Disposition Guidelines***: The Guidelines detail the objectives of the real property disposition practices of the CITY. The Guidelines state the intent and procedures of the disposition practices of the CITY.
- (7) **Relocation Guidelines***: The Guidelines detail the objectives of the relocation practices of the CITY. The Guidelines state that it is the intent of the CITY to only relocate occupants whose dwelling is unfit for human habitation and beyond the scope of rehabilitation.
- (8) **Clearance Guidelines***: The Guidelines detail the objectives of the demolition and clearance practices of the CITY. The Guidelines state that the intent of the CITY is to rehabilitate substandard privately-owned dwellings whenever feasible. However, when housing conditions are dilapidated and the cost of rehabilitation is economically unfeasible, the CDBG program will acquire, demolish, and clear the structures.
- (9) **Rehabilitation Guidelines**: The Guidelines detail the objective of the rehabilitation practices of the CITY. The Guidelines state that the intent of the CITY is to rehabilitate private property in a cost- effective manner in the approved project area whenever feasible to meet the plans and to achieve the aim of the CDBG project.

- (10) **Rehabilitation/Reconstruction Guidelines:** The Guidelines detail the objective of the rehabilitation/reconstruction practices of the CITY. The Guidelines state that the intent of the CITY is to use reconstruction in lieu of rehabilitation for properties that cannot be cost effectively rehabilitated.
- (11) **Hook-Up Guidelines*:** The Guidelines detail the objective of the hook-up practices of the CITY. The Guidelines state the intent of the CITY to provide a hook-up in a cost-effective manner to approved existing public utility lines to meet the plans and achieve the aims of the CDBG project.
- (12) **Public Facilities Guidelines*:** The Guidelines detail the objectives of the public facility improvement practices of the CITY. The Guidelines state that the CITY will undertake public facility improvements whenever feasible, in accordance with the approved application.
- (13) **Complaint Procedure:** The Procedure has all comments being sent to the CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER. Deadlines for responses are included in the Procedure.
- (14) **Officer Designations:**
 - (a) **Contracts Officer:** The CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER, and successors so titled, will have the authority to execute contracts pertaining to grant implementation within the limitations of the approved Grant Application and Local, State and Federal Procurement Procedures.
 - (b) **Labor Standards Officer*:** The CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER, and successors so titled, will have the authority to enforce compliance of labor standards on all jobs requiring labor standards provisions.
 - (c) **Verification Officer:** The CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER, and successors so titled, will have the responsibility to verify the eligibility of all contractors and subcontractors participating on jobs funded in full or in part with Community Development funds.
 - (d) **Just Compensation Officer*:** The CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER, and successors so titled, have the authority to certify just compensation of private property acquisition within the limitations of the approved Grant Application and State and Federal Acquisition Procedures.
- (15) **Financial Management Procedure:** The Procedure establishes how the CITY will maintain a required financial accounting system for the CDBG Program. The Procedure meets all Federal guidelines for financial management of Federally-assisted activities.
- (16) **Neighborhood Revitalization Contractor Procurement and Disbursement Policy:** Modeled after policies of the NC Housing Finance Agency Single Family Rehabilitation Program, this Policy outlines the CITY's procedures during the CDBG-NR program for securing housing construction contractors, processing payment requests for construction work, and working with the Housing Rehabilitation Specialist.

- (17) **Neighborhood Revitalization Assistance Policy**: Modeled after policies of the NC Housing Finance Agency Single Family Rehabilitation Program, this Policy outlines the CITY's guidelines for applicant eligibility criteria and ranking, types of housing rehabilitation assistance, and what processes residents can expect to go through to obtain assistance.

C: CDBG-NR File, 18-C-3071

** Indicates plans that are not necessarily applicable to this type of CDBG project*

**CITY OF EDEN
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

PROGRAM MANUAL RESOLUTION

A Resolution Authorizing the Adoption of the Supplemental Program Manual for the CITY OF EDEN during the implementation of the North Carolina Small Cities Community Development Block Grant- Neighborhood Revitalization (CDBG-NR) Program.

WHEREAS, the CITY currently participates in the 2018/2019 Small Cities CDBG Program under the Housing and Community Development Act of 1974, as amended, and administered by the North Carolina Department of Commerce (DOC), Rural Economic Development Division (REDD); and

WHEREAS, the CDBG program has many federal performance and procurement requirements; and

WHEREAS, the CITY previously adopted the following CDBG policies and plans on June 16, 2020 that are still current and applicable:

- Language Access Plan
- Fair Housing Plan & Complaint Procedure
- Local Jobs Initiative (Section 3 Plan)
- Section 504 Self-Evaluation Survey
- Section 504 Non-Discrimination Policy
- Section 504 Grievance Procedure
- Citizen Participation Plan
- Code Of Conduct/Hatch Act Policy
- Excessive Force/Section 519 Policy

WHEREAS, the following documents are updated and supplemental policies and plans under this program;

- Equal Opportunity Plan
- Procurement Standards
- Residential Anti-Displacement and Relocation Assistance Plan
- Optional Coverage Relocation Plan
- Acquisition Guidelines
- Disposition Guidelines
- Relocation Guidelines
- Clearance Guidelines

- Rehabilitation Guidelines
- Rehabilitation/Reconstruction Guidelines
- Hook Up Guidelines
- Public Facility Guidelines
- Complaint Procedure
- Contracts Officer Designation
- Labor Standards Officer Designation
- Verification Officer Designation
- Just Compensation Officer Designation
- Financial Management Procedure
- Neighborhood Revitalization Contractor Procurement and Disbursement Policy
- Neighborhood Revitalization Assistance Policy

THEREFORE, BE IT RESOLVED by the COUNCIL of the CITY OF EDEN, North Carolina:

1. That the following designees, and/or successors so titled, are hereby authorized to execute any and all grant-related documents:

Neville Hall, Mayor
 Jon Mendenhall, City Manager
 Kelly Stultz, City Planning & Community Development Director

2. That this Program Manual is hereby submitted and adopted and to be used throughout the implementation of the CITY OF EDEN CDBG PROGRAM.

Adopted this 17th day of August, 2021.

CITY OF EDEN
 BY: _____
 Neville Hall, Mayor

ATTEST:

 Deanna Hunt, City Clerk

**CITY OF EDEN
NORTH CAROLINA
PROGRAM MANUAL
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

**PRESENTED TO THE
CITY COUNCIL**

AUGUST 17, 2021

PROGRAM MANUAL

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EQUAL OPPORTUNITY PLAN
CITY OF EDEN CDBG PROGRAM

A. Equal Housing Opportunity Plan

Civil Rights Act of 1964

The Civil Rights Act of 1964 prohibits all racial discrimination in the sale or rental of property.

The Fair Housing Act

The Fair Housing Act declares a national policy of fair housing throughout the United States, making illegal any discrimination in the sale, lease or rental of housing, or making housing otherwise unavailable, because of race, color, religion, sex, handicap, familial status, or national origin.

Executive Order 12892, Equal Opportunity in Housing

Executive Order 12892, as amended (Leadership and Coordination of Fair Housing in Federal Programs: Affirmatively Furthering Fair Housing), provides that programs and activities relating to housing and urban development (including any Federal agency having regulatory or supervisory authority over financial institutions) shall be administered in a manner affirmatively to further the purposes of the Act and shall cooperate with the Secretary of Housing and Urban Development, who shall be responsible for exercising leadership in furthering the design and delivery of Federal programs and activities.

North Carolina Fair Housing Act

The North Carolina State Fair Housing Act prohibits unlawful discriminatory housing practices for any person in real estate transactions, because of race, color, religion, sex, national origin, handicapping condition, or familial status; unlawful discriminatory housing practice to discriminate in land-use decisions or in the permitting of development based on race, color, religion, sex, national origin, handicapping condition, familial status, or, except as otherwise provided by law, the fact that a development or proposed development contains affordable housing units for families or individuals with incomes below eighty percent (80%) of area median income.

The **CITY** shall eliminate housing discrimination, and achieve diverse, inclusive communities by leading the **CITY** in the enforcement, administration, and public understanding of federal fair housing policies and laws.

The **CITY** shall include the Equal Housing Opportunity logo and/or the phrase affirming Equal Opportunity in Housing on all the CDBG documents intended to be shared with the public.

The **CITY** shall post in public buildings and the CDBG project area the Equal Housing Opportunity posters and/or additional information the local government has prepared to inform the community with the Equal Housing Opportunity policies and laws.

The **CITY** hereby endorses a Affirmatively Furthering Fair Housing plan to ensure equal opportunity and fair housing for all persons to rent, purchase, obtain financing and enjoy all other housing attributes, that is affordable, safe, decent, free of unlawful discrimination and accessible as required on a non-discriminatory basis as provided by state and federal statutes and regulations.

Describe specific actions to be taken to contact and develop working relationships with local owners, real state and civic, charitable or neighborhood organizations in particular, to secure public understanding and responsibilities to exercise Equal Housing Opportunity: The **CITY** maintains the policy of providing equal opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor. The **CITY** has developed a fair housing program that includes activities that have provisions for reaching the visually impaired and ensuring equal opportunity for housing in the community for all persons regardless of income status.

B. Equal Employment Opportunity Plan

Executive Order 11246, as amended by Executive Orders 11375, 11478, 12086, and 12107 (3 CFR 1964-1965 Comp. p. 339; 3 CFR, 1966-1970 Comp., p. 684; 3 CFR, 1966-1970., p. 803; 3 CFR, 1978 Comp., p. 230; 3 CFR, 1978 Comp., p. 264 (Equal Employment Opportunity), and Executive Order 13279 (Equal Protection of the Laws for Faith-Based and Community Organizations), 67 FR 77141, 3 CFR, 2002 Comp., p. 258; and the implementing regulations at 41 CFR chapter 60; Section 109 of Title 1 of the Housing and Community Development Act of 1974; Title VII of Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Age Discrimination Act of 1975; the Equal Employment Opportunity Act; the Immigration Reform and Control Act of 1986; the Vietnam Era Veterans' Readjustment Act of 1974, amended to Jobs for Veterans Act in 2002; Federal Executive Orders 11246, 11625, 12432, and 12138; Section 3 of the Housing and Urban Development Act of 1968; N.C.G.S. 126-16 (Equal Employment Opportunity); N.C.G.S 143-422.2 (Equal Employment Practice Act); N.C.G.S 168A-5-11 (Handicapped Persons Protection Act); N.C.G.S. 75B 1-7 (Discrimination in Business); N.C.G.S. 95-151(OSHA); N.C.G.S. 95-28.1; N.C.G.S. 127B-10-15 (Discrimination Against Military Personnel); N.C.G.S. 130A-148(i); N.C.G.S. 126-16; N.C.G.S. 143-48 and 143-128; and all applicable federal and other state regulations.

The **CITY OF EDEN** maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are bona fide occupation qualifications for employment.

In furtherance of this policy, the **CITY** prohibits any retaliatory action of any kind taken by any employee of the locality against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding or investigation of employment discrimination.

The **CITY** shall strive for greater utilization of all persons by identifying previously underutilized groups in the workforce, such as minorities, women, and the handicapped, and making special efforts toward their recruitment, selection, development and upward mobility and any other term, condition, or privilege of employment.

Responsibility for implementing equal opportunities and affirmative action measures is hereby assigned to the **CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER**, successors so titled, and/or other persons designated by the Chief Elected Official to assist in the implementation of this policy statement.

The **CITY** shall develop a self-evaluation mechanism to provide periodic examination and evaluation. Every two years, the results of the self-evaluation reporting on the progress of Equal Employment Opportunity and Affirmative Action will be presented to the Chief Elected Official / Local Governing Body. Records presented to the Chief Elected Official / Local Governing Body shall be maintained in the files and will be provided to REDD as needed.

The **CITY** is committed to this policy and is aware that with its implementation, the **CITY** will receive positive benefits through the greater utilization and development of all its human resources.

The **CITY** shall include the Equal Employment Opportunity logo and/or the phrase affirming Equal Employment Opportunity on all the CDBG documents intended to be shared with the staff and the public.

The **CITY** shall obtain commitment from contractors that they will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are bona fide occupation qualifications for employment. Contractors will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are bona fide occupation qualifications for employment. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment

advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The **CITY** shall obtain commitment from Contractors that will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are bona fide occupation qualifications for employment.

CITY OF EDEN
MAILING: PO BOX 70, EDEN, NC 27289-0070
PHYSICAL: 308 EAST STADIUM DRIVE, EDEN, NC 27288
PHONE: 336-623-2110 / FAX: 3336-623-4057 / TDD: 800-735-2962 (711)
<https://www.edennc.us/>

Contact Person:	Kelly Stultz	Jon Mendenhall
Title:	City Planning & Community Development Director	City Manager
Email:	KStultz@edennc.us	jmendenhall@edennc.us

PROCUREMENT STANDARDS POLICY AND PLAN

CITY OF EDEN CDBG PROGRAM

I. POLICY

The **CITY** will comply with the terms and conditions of Federal and/or State funding that is awarded and accepted, including but not limited to, the terms and conditions of Grant Contract, and the Procurement Policy of the *North Carolina Department of Commerce Rural Economic Development Division* (Procurement Policy), Title 2 C.F.R. Part 200, and HUD implementing regulations contained in 24 C.F.R. § 570.489(g) which are incorporated by reference and included herein to the extent of its applicability. The States were advised by HUD to develop their own procurement policies, and the CDBG Program has developed and adopted the attached policy as reference for its grantee communities, using the 2 CFR Part 200 federal regulations, supplemented with NC General Statutes 143-64.31, 143-129, and 143-131 as guidance. The **CITY**, as the recipient of Federal and/or State CDBG funds, acknowledges its responsibility to and will adhere to the aforesaid North Carolina State and Federal Procurement Policies.

The **CITY** will, to the extent applicable, follow methods of procurement, procure by contracting with small, minority firms, women's business enterprises, and labor surplus area firms, when those entities offer the best level of knowledge, skills and abilities for professional services, and when those entities offer the knowledge, skills and abilities and are the lowest cost responsive, responsible bidders in building trade and related services. Additionally, the **CITY** will demonstrate contract cost and price awareness and adhere to awarding agency contract provisions (2 CFR Part 200, Appendix II, as applicable under 2 CFR Part 200.101(d)(1)).

II. PLAN

All procurement of goods and services by **CITY** with CDBG grant funds shall be accomplished in accordance with the regulations of **Procurement Standards**, where applicable, Recipient shall follow the procurement standards established in the "Uniform Administrative Requirements, Cost Principles, And Audit Requirements For Federal Awards" (2 C.F.R. Part 200) and HUD implementing regulations contained in 24 C.F.R. § 570.489(g), which explicitly prohibit cost plus a percentage of cost and percentage of construction cost methods of contracting. In addition, all purchase orders and contracts shall include any clauses required by Federal Statutes, Executive Orders, and implementing regulations including the Section 3 clause, per 24 C.F.R. 570.489 (g) and 24 C.F.R. 135.38, or the North Carolina General Statutes applying to procurement in general by the North Carolina municipalities and counties.

When the Federal and State regulations are different, the more restrictive regulations shall apply to the procurement in question. Additionally, the **CITY** will adhere to the following guidelines during procurement of goods and services with Federal funds:

- (a) Non-Competitive Negotiation: In all cases where goods or services are procured on the basis of one bid or proposal received, the **CITY** will follow established principles to verify the reasonable cost of the procurement and shall contact the State Agency supervising the grant program before making any contract award based on non-competitive negotiation. *The **CITY** shall follow all noticing and advertising requirements prior to accepting the single source respondent. Written permission from the CDBG-NR Program shall be obtained prior to entering into a single source contract.*
- (b) Section 3: Section 3 certified businesses, underutilized businesses, including women-owned, and minority-owned enterprises, shall be included on bidders' or professional services' lists maintained by the **CITY** and such, firm(s) shall be solicited for all competitive negotiations, small purchases, and informal and formal bids when such firms are potential competitive sources for good and services.

- (c) Debarment: Prior to any contract award, the **CITY** shall verify the contractor's eligibility to participate in a federally-assisted program.
- (d) Conflict of Interest: No consultant or bidder shall assist in the development of the Request for Proposals or in the Request for Qualifications posting in which the consultant or bidder has a direct or indirect interest. No consultant or bidder shall assist in the evaluation of proposals or bid packages for contracts in which that consultant or bidder has an indirect or direct interest. The **CITY** shall adhere to all applicable Federal and State conflict of interest regulations in making contract awards.
- (e) Professional Services Contracts: Professional services shall be procured through the use of Request for Proposals (administrative services) or Request for Qualifications (engineering services). Respondents offering administrative services shall be selected on the basis of the best qualified respondent, *taking price into consideration*. Respondents offering engineering services shall be selected on the basis of the best qualified respondent, *without regard for price*. A written selection procedure shall be used to evaluate respondents, and those records maintained in the procurement files.

The **CITY** shall develop a written scope of work for each service to be awarded on the basis of *competitive negotiation*, which shall include descriptions of tasks to be completed, project timetables, and an outline of fee proposal requirements. The selected engineering services respondent and the **CITY** shall then enter into *competitive negotiations* to arrive at a mutually agreeable price for engineering services. All contracts awarded through competitive negotiations shall be awarded strictly on the basis of the written selection procedure.

- (f) Construction and Repair Services: Construction services shall be competitively bid using sealed bids, with the award going to the lowest responsive, responsible bidder. A minimum of three bids shall be received prior to opening the sealed bids.
 - The **CITY** shall request references, or check references, of contractors or firms who are awarded contracts with Federal grant funds, and will request a written warranty for all goods and services provided through small purchases requests.
 - The **CITY** shall not award any contract for federally-assisted projects on a contingency or cost plus percentage of cost basis.
 - The **CITY** shall hold a pre-bid meeting and a pre-construction meeting for each bid under a CDBG project. A rating criterion for the bids might add points for attending the pre-bid meeting of contractors, but it is not prerequisite for the potential bidders.

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

CITY OF EDEN CDBG PROGRAM

This Residential Anti-Displacement and Relocation Assistance Plan is prepared by the **CITY OF EDEN** in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to our CDBG¹ projects.

Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, the **CITY OF EDEN** will take the following steps to minimize the direct and indirect displacement of persons from their homes: (The steps provided below are examples only, each jurisdiction must determine the actions it will take based on local needs and priorities, select one or multiple steps or describe others steps below)

- Coordinate code enforcement with rehabilitation and housing assistance programs.
 - Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.
 - Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
 - Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
 - Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
 - Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.
 - Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.
 - Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.
 - Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
 - If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are "lower-income dwelling units" (as defined in 24 CFR 42.305).
 - Target only those properties deemed essential to the need or success of the project.
 - Other: *(Describe)*
-

A. Relocation Assistance to Displaced Persons

The **CITY OF EDEN** will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG Program[s], move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

B. One-for-One Replacement of Lower-Income Dwelling Units

The **CITY OF EDEN** will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the CDBG Program[s] in accordance with 24 CFR 42.375.

Before entering into a contract committing the **CITY OF EDEN** to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the **CITY OF EDEN** will make public by a block display ad published in local newspaper and submit to State CDBG Program(s) the following information in writing:

¹ CDBG programs include: Entitlement Community Development Block Grant (CDBG) Program, State CDBG Program, CDBG Small Cities Program, Section 108 Loan Guarantee Program, CDBG Special Purpose Grants Program, and the Neighborhood Stabilization Program (NSP).

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. *NOTE: See also 24 CFR 42.375(d).*
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the **CITY OF EDEN** will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

All occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of activities assisted under the CDBG program must be replaced with low/moderate-income dwelling units. Substandard but economically repairable units that have been demolished or converted must be replaced under this provision, but more seriously deteriorated units need not be replaced.

For purposes of this plan, the following definitions shall apply:

- "Vacant Occupiable" or "Suitable for Rehabilitation" means a unit which is no worse than moderate according to the needs gradient scale published in the Application Guidelines, may be brought up to N.C. Small Cities CDBG Housing Rehabilitation Standards for an expenditure of less than \$4,000 in rehabilitation costs, and will have an expected useful life of at least 10 years with routine maintenance upon completion of the rehabilitation. In addition, a vacant unit may be classified as "not occupiable" if it has been condemned, is condemnable or otherwise unsuitable for human habitation under the local government's housing code or redevelopment plan.
- "Low- and Moderate-Income Dwelling Units" (Occupied Units) means a unit that either is occupied by a low- or moderate-income family or rents for an amount that would be affordable to a low- or moderate-income family (i.e., rent and utilities would not exceed 24% of the median income for a family that would occupy the unit without overcrowding).
- "Low- and Moderate-Income Dwelling Units" (Vacant Units) means a unit whose fair market rent would make it affordable to a low- or moderate-income family, as calculated above.
- If assisted rehabilitation raises the rent of a low/moderate-income unit above the affordable rent level, the unit must be replaced.

Replacement low/moderate-income dwelling units must be provided within three years of the commencement of the demolition or the rehabilitation related to the conversion, and must be:

- Located within the same jurisdiction.
- Sufficient in number and size to house at least the number of occupants that could have been housed in the units demolished or converted, as determined in accordance with applicable housing occupancy codes.
- Provided in standard condition. (A substandard unit raised to standard condition will count.)

- Designed to remain low/moderate-income dwelling units for at least 10 years from the date of initial occupancy of the units. (Replacement dwelling units may include public housing and existing housing receiving Section 8 project-based assistance.)

C. Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), the **CITY OF EDEN** may submit a request to the State for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

D. Contacts

The **CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER** is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period. The **CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER** is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

OPTIONAL COVERAGE RELOCATION PLAN

CITY OF EDEN CDBG PROGRAM

Organization and Administration

The **CITY OF EDEN** (hereinafter called "**CITY**") will administer and coordinate all relocation activities (temporary or permanent) resulting from Community Development activities in the Project Area. Citizens displaced by Community Development Program activities are eligible to receive relocation assistance. The financial assistance is in a form as permitted under implementing regulations at 49 CFR Part 24 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

Definition of a "Displaced Person"

A displaced individual is someone whose home, which is located within the Project Area, is determined to be in a condition too dilapidated to be economically feasible to rehabilitate and will be demolished. This can also include a person temporarily displaced because of program activities such as housing rehabilitation.

Definition of "Standard Housing"

A dwelling unit is in standard condition if it is decent, safe, and sanitary. A dwelling unit is considered decent, safe, and sanitary if (a) it is in good repair and is weather-tight, with no leakage nor dampness; (b) it has no health, fire nor safety hazards within the structure or in the immediate vicinity; (c) it has running water, a private sewer-connected to a flush toilet, and a bathroom for exclusive use of the occupant, with tub or shower with hot and cold running water, all within the dwelling unit; (d) it has permanent, reasonably efficient kitchen facilities for exclusive use of the occupant, including sink with hot and cold running water, cooking stove connections, shelves and storage space for food and utensils; (e) it has facilities or connections for washing and drying clothes; (f) it is large enough to accommodate the occupants without overcrowding; (g) it is equipped with adequate heating facilities; (h) it is adequately ventilated by at least one openable window in every room and is screened, or screens are available; (i) it is wired for electricity; and (j) it is located in a neighborhood which is free from industrial and other nuisances, is supplied with the community facilities of a standard neighborhood, and is reasonably accessible to transportation, schools, churches and stores.

It is intended that the **CITY** will inspect all dwellings into which displaced families relocate. If the dwellings are not found to be decent, safe and sanitary, the move will be considered temporary relocation.

Optional Coverage

The **CITY** shall undertake relocation that may not be covered automatically under the URA such as would be the case with voluntary demolition. The **CITY** intends for these persons to be served at the same levels as those described under the URA and will use this Optional Coverage Relocation Plan to establish this coverage. Under this Plan, the **CITY** shall provide relocation payments and assistance to the following:

1. Homeowners, tenants and their families who are displaced by rehabilitation activity of a dwelling located within the Project Area.
2. Homeowners, tenants and their families who are displaced by the voluntary demolition of a dwelling occupied by the families and located within the Project Area.

Relocation Assistance to Families and Individuals (See Table Below)

The **CITY** shall provide relocation planning, advisory and coordination services consistent with those described in Section 24.205 of the URA. These shall include, but not be limited to, the provision of transportation services as needed to view comparable replacement dwellings, or other transportation as deemed necessary and reasonable to support the relocation, assistance in submitting claims for payment, counseling and education on relocation regulations and coordinating these activities with existing social service and economic assistance programs as they are available.

Temporary Relocation

Rehabilitation shall be conducted without relocation of the affected occupants to the greatest extent feasible. Should relocation be necessary and should available temporary housing be substandard by the above definition, the minimum standards set forth shall not apply. Such relocation shall be accomplished at the minimum feasible cost. Of the two moves involved, (out of and back into the rehabilitated structure) one may be financed under a Fixed Payment for Moving Expenses as described below. Temporary relocation payments will be limited to cover only those expenses that would not otherwise be normal to the relocatee. That is to say, expenses that are directly related to the temporary relocation and which are above and beyond the normal expenses incurred by the relocatee. These would include, but not be limited to reasonable expenses for lodging for the period of dislocation, travel expenses to and from the lodging or other temporary relocation site, costs for temporary storage of household belongings. This would not include reimbursement for expenses that would otherwise be incurred (meals, normal travel, etc.). Relocates are required to submit receipts to the **CITY** documenting the expenses for which they are requesting reimbursement.

Moving Expense Payment

A displaced individual or family covered under this Plan shall be eligible to receive a moving expense payment in accordance with the following sections of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA. Specifically referenced is the following section of the URA:

- 1. Section 24.302 -- Fixed payment for moving expenses - residential moves

The relocatee will receive payment on the basis of the Fixed Residential Moving Cost Schedule 2012 (Fed. Reg. 5/23/12, effective 6/22/12) which is prepared by the U.S. Department of Transportation and shown below for the State of North Carolina.

Payment is limited to \$100.00 if either of the following conditions apply:

- (a) A person has minimal possessions and occupies a dormitory style room, or
- (b) A person’s residential move is performed by an agency at no cost to the person.

Occupant Owns Furniture									Occupant Does Not Own Furniture		
Number of Rooms of Furniture									Addt'l room	1 room/ no furn.	Addt'l room no furn.
1 room	2 rooms	3 rooms	4 rooms	5 rooms	6 rooms	7 rooms	8 rooms				
550	750	1050	1200	1350	1600	1700	1900	150	350	50	

Under the Fixed Rate Method, it should be noted that certain rooms are excluded from the calculations. These include unfurnished or unused rooms, halls, bathrooms, attics, porches, garages, dressing rooms and utility rooms. However, should the relocatee have sufficient storage in the above stated rooms, the **CITY** may count one additional room for the sum of these rooms.

Replacement Housing Payment

A displaced individual or family covered under this Plan shall be eligible to receive replacement-housing payments in accordance with the following sections of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). Specifically referenced are the following sections of the URA:

- 1. Section 24.401 -- 180 Day Homeowners
- 2. Section 24.402 -- 90 Day Occupants
- 3. Section 24.403 -- Additional Rules
- 4. Section 24.404 -- Replacement Housing of Last Resort

Relocation Assistance (See Table Below). The **CITY** will provide relocation assistance to any low/moderate-income household displaced by the demolition of any housing unit or by the conversion of a low/moderate-income dwelling to another use, occurring as a direct result of assisted activities. Persons will be provided:

1. A choice between (i) actual "reasonable moving expenses" as described in Section 42.301 or (ii) a fixed expense and dislocation allowance as described in Section 42.302.
2. Advisory services as described in 24 CFR Part 42, Subpart C.
3. Reimbursement for reasonable and necessary security deposit and credit checks.
4. Replacement housing assistance.
 - A person choosing to rent must be offered either (i) a Section 8 housing voucher/certificate (through the housing authority) and referrals to comparable replacement dwelling units where the owner agrees to participate in the Section 8 Program or (ii) cash rental assistance to reduce the rent and utility costs to 30% of his/her income (adjusted, as determined by the **CITY**) for a 5-year period and appropriate referrals to comparable replacement dwelling units.
 - A person buying an interest in and occupying a unit in a housing cooperative or mutual housing association may elect to receive a lump sum payment equal to the present value of the rental assistance installments. To compute the present value, the rental assistance installments shall be discounted at the passbook savings rate.
 - A person may elect Uniform Relocation Act Assistance in lieu of the relocation assistance described above.

Complaint Procedure

The **CITY** conforms to standard, ethical practices in the relocation of individuals and families and desires to see that all interests are protected. If there are any questions or complaints, the **CITY** solicits the cooperation of all owners and requests an opportunity to discuss them in an effort to satisfy all parties concerned. The **CITY** will follow its adopted Complaint Procedure, contained herein this CDBG Program Manual.

UNIFORM RELOCATION ACT

1. Advisory Services
2. Moving Expenses: Actual and Fixed Moving Expenses
3. No Similar Payment
4. Replacement Housing Payment

- Rental Assistance Payment

Period of Payment: 42 Months

Cap: \$5,250 (If not adequate, Section 206 is Triggered)

Computation of Payment:

Information Needed:

1. Replacement Dwelling Rent/Utilities
2. Comparable Replacement Dwelling Rent/Utilities
3. Displacement Dwelling Rent/Utilities
4. 30% of Household Monthly Gross Income

Formula:

Lesser of Lines 1 or 2 Minus Lesser of Lines 3 or 4
Times 42 = Payments

Payment: At Discretion of Grantee, Either Installments or
Lump Sum

- Downpayment Assistance Payment

Person May Purchase any Property

Payment Based on Computed Rental Assistance Payment

SECTION 104(d) OF HCD ACT OF 1974, AS AMENDED

1. Same
2. Same
3. Reimbursement for Cost of Security Deposits and Credit Reports
4. Replacement Housing Assistance

- Person Choosing to Rent Must be Offered Either:

Certificate or Voucher with Referrals to Comparable Replacement Dwellings Where the Owner Agrees to Participate in the Section 8 Program; or

Cash Rental Assistance to Reduce the Rent and Utility Costs at the Replacement Dwelling to 30% of Income (Adjusted, if appropriate).

Cash Rental Assistance to Reduce the Rent and Utility Costs at the Replacement Dwelling to 30% of Income (Adjusted, if appropriate).

Period of Payment: 60 Months

Cap: None

Computation of Payment:

Information needed:

1. Replacement Dwelling Rent/Utilities
2. Comparable Replacement Dwelling Rent/Utilities
3. 30% of Household Monthly Gross Income
(Adjusted, if appropriate.)

Formula:

Lesser of Lines 1 or 2 Minus Line 3 Times 60 = Payment

Payment: Same

- Person Choosing to Purchase

Person May Buy an Interest in and Occupy a Unit in a Coop or Mutual Housing Association

Payment Equal to the Capitalized Value of the Assistance Payment

One-For-One Replacement Summary Grantee Performance Record

North Carolina Small Cities Community Development Block Grant Program

Grantee: CITY OF EDEN

Grant Number: CDBG-NR

Period Covered

From: 2020

To: 2023

Low/Mod Housing Units Demolished/Converted

Replacement Units

# Units	# Bedrooms/ Unit	Address	Date of Agreement	# Units	#Bedrooms/ Unit	Address	Date Made Available

ACQUISITION GUIDELINES

CITY OF EDEN CDBG PROGRAM

It is the intent of this **CITY COUNCIL** to acquire only property in the approved project area, which is necessary to meet the plans and achieve the aims of the **CITY OF EDEN CDBG PROGRAM**. The selection of property designated for acquisition is the result of many months of planning, numerous meetings and public hearings, and final approval by the **CITY COUNCIL** of the **CITY OF EDEN**, North Carolina, and the North Carolina Rural Economic Development Division (REDD).

The objectives of the real property acquisition practices are that this **CITY COUNCIL** shall:

- (1) Follow the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended.
- (2) Make every reasonable effort to acquire real property expeditiously through negotiated agreements.
- (3) Pay just compensation for all real property interests acquired and conduct acquisition activities in a manner that minimizes hardship to owners and tenants and promotes confidence in the acquisition practices.
- (4) Assure consistent treatment to all owners and tenants.
- (5) Minimize litigation in the acquisition of real property.

This **CITY COUNCIL** or designee will determine just compensation for the real property after a competent professional appraiser has performed an appraisal (if required) and an independent appraiser has reviewed the appraisal. The amount of just compensation will not be less than this appraisal of the fair market value of the property. Promptly after the determination of just compensation, this **CITY COUNCIL** will submit to the owner in writing an offer to acquire the property for the full amount so established together with a summary of the basis for such amount. The owner or his designated representative shall be given the opportunity to accompany each appraiser during his inspection of the property.

The owner's cooperation is requested so that all facts may be known which result in intelligent and fair appraisals.

If this **CITY COUNCIL** purchases only a portion of the owner's property and thereby decreases the value of the remaining property, the owner will be paid for the loss in value of the remaining property. Such damages or loss will be evaluated by the appraisers and explained to him by the negotiator; and if the acquisition of any part of his real property would leave him in an uneconomic remnant, this **CITY COUNCIL** will offer to acquire the entire property.

If the owner feels the **CITY**'s offer of just compensation does not represent the true value of his property, he may refuse to accept it; that is if he can provide evidence concerning value or damage that warrants a change in the **CITY**'s determination of just compensation, the price will be adjusted accordingly. If a voluntary agreement cannot be reached, this **CITY COUNCIL** will institute a formal condemnation proceeding against the property, depositing in the court the full amount of the **CITY**'s estimate of just compensation.

The settlement costs, including costs of search and evidence or assurance of title are to be paid by the **CITY** through the **CDBG PROGRAM**. The owner prior to or at the time of settlement must satisfy all outstanding loans and liens on the property. The negotiator will discuss the details of such arrangements with the owner.

The **CITY** will provide the owner with information covering relocation advisory assistance, services, and payments for which an owner-occupant may be eligible. To the greatest extent practical, no lawful occupant will be displaced without notification in writing at least ninety (90) days in advance of the date by which the move is required. The owner is requested to keep the **CITY** informed about his relocation plans.

If arrangements are made to rent the property to an owner or his tenant after acquisition for a short term (defined as three years or less) or for a period of time subject to termination by the **CITY** on short notice, the rent will not exceed the least of;

(1) the fair rental value of the property to a short-term occupier; (2) the prorated portion of the fair rental value for a typical rent period; or (3) if the owner or his tenant is an occupant of the property as a dwelling, twenty-five (25) percent of his income.

Upon the acquisition of real properties, the **CITY** will either:

- (1) Demolish the structure or structures thereon and dispose of the land for redevelopment at its fair value for uses in accordance with State and Local codes and ordinances; or
- (2) Sell the property at its fair value subject to rehabilitation in conformance with the N.C. Small Cities CDBG Housing Rehabilitation Standards; or
- (3) Rehabilitate the property in conformance with the N.C. Small Cities CDBG Housing Rehabilitation Standards and dispose of the property at its fair value in accordance with applicable regulations. If sale cannot be consummated by the time rehabilitation is accomplished; units may be rented pending continuing sale efforts.

The *change of use of real property* standards in 24 C.F.R. 570.489(j) are applicable. The standards described in this section apply to real property within the unit of general local government's control (including activities undertaken by subrecipients) which was *acquired or improved in whole or in part using CDBG funds in excess of the threshold for small purchase procurement (2 CFR 200.88)*. These standards shall apply from the date CDBG funds are first spent for the property until five (5) years after closeout of the unit of general local government's grant. Any changes within the five (5) years would have to serve a CDBG national objective.

The **CITY** conforms to standard, ethical practices in the acquisition of real property and desires to see that all interests are protected. If there are any questions or complaints, the **CITY** solicits the cooperation of all owners and requests an opportunity to discuss them in an effort to satisfy all parties concerned. The **CITY** will follow its adopted Complaint Procedure, contained herein this CDBG Program Manual.

DISPOSITION GUIDELINES

CITY OF EDEN CDBG PROGRAM

It is the intent of this **CITY COUNCIL** to dispose of property in the approved project area, which is necessary to meet the plans and achieve the aims of the **CITY OF EDEN CDBG PROGRAM**. The selection of property designated for disposition is the result of many months of planning, numerous meetings and public hearings, and final approval by the **CITY COUNCIL** of the **CITY OF EDEN**, North Carolina, and the North Carolina Rural Economic Development Division (REDD).

The objectives of the disposition process are that this **CITY COUNCIL** shall:

- (1) Follow the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended.
- (2) Follow State and Local laws, codes and ordinances concerning the disposition of public property.
- (3) Make every reasonable effort to dispose of real property through consistent treatment.

Upon the acquisition of real properties, the **CITY** will proceed with the disposition process, as applicable:

- (1) Demolish any structure or structures thereon and dispose of the land for redevelopment at its fair value for uses in accordance with State and Local codes and ordinances; or
- (2) Dispose of the property at its fair value subject to rehabilitation in conformance with the N.C. Small Cities CDBG Housing Rehabilitation Standards; or
- (3) Rehabilitate the property in conformance with the N.C. Small Cities CDBG Housing Rehabilitation Standards and dispose of the property at its fair value in accordance with applicable regulations. If sale cannot be consummated by the time rehabilitation is accomplished; units may be rented pending continuing sale efforts.

Upon the acquisition of real properties, the **CITY COUNCIL** or designee will authorize sale of the property and establish a fair value of the property. In addition, any conditions of sale and bid requirements will be established. The sale will be advertised as required by state law and bid proposals distributed to interested parties. Proposals will be accepted, conditions verified, and the agreement prepared for acceptance by the **CITY COUNCIL**. Records relating to the disposition must be retained for a minimum of three years from the date of project closeout or actual disposition, whichever is later.

The *change of use of real property* standards in 24 C.F.R. 570.489(j) are applicable. The standards described in this section apply to real property within the unit of general local government's control (including activities undertaken by subrecipients) which was *acquired or improved in whole or in part using CDBG funds in excess of the threshold for small purchase procurement (2 CFR 200.88)*. These standards shall apply from the date CDBG funds are first spent for the property until five (5) years after closeout of the unit of general local government's grant. Any changes within the five (5) years would have to serve a CDBG national objective.

The **CITY** conforms to standard, ethical practices in the disposition of real property and desires to see that all interests are protected. If there are any questions or complaints, the **CITY** solicits the cooperation of all parties and requests an opportunity to discuss them in an effort to satisfy all parties concerned. The **CITY** will follow its adopted Complaint Procedure, contained herein this CDBG Program Manual.

RELOCATION GUIDELINES

CITY OF EDEN CDBG PROGRAM

It is the intent of this **CITY COUNCIL** to relocate only those occupants whose dwelling units are unfit for human habitation and beyond the scope of rehabilitation to meet the plans and achieve the aims of the **CITY OF EDEN CDBG PROGRAM**. The structures designated for acquisition and demolition have been selected due to their dilapidated condition. Consequently, these activities cause permanent displacement to the occupant. The decision to include relocation activities is the result of many months of planning, numerous meetings and public hearings, and final approval by the **CITY COUNCIL** of the **CITY OF EDEN**, North Carolina and the North Carolina Rural Economic Development Division (REDD).

The objectives of relocation practices are that this **CITY COUNCIL** shall:

- (1) Follow the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended.
- (2) Refer the displaced individuals and families to comparable decent, safe and sanitary replacement dwellings.
- (3) Make all eligible payments for moving and related expenses and for replacement housing payments and conduct relocation activities in a manner that minimizes hardship to relocatees and promotes confidence in the relocation practices.
- (4) Assure consistent treatment to all displaced occupants.

This **CITY COUNCIL** will follow all applicable procedures in initiating the relocation process. Only those occupants whose dwelling units are unfit for human habitation and are not feasible to rehabilitate to N.C. Small Cities CDBG Housing Rehabilitation Standards as required in the **CITY'S** Community Development application will be displaced.

These displaced families or individuals will be interviewed to determine the replacement housing needs in each case. Comparable replacement housing will be identified, and referrals provided for each family or individual displaced. Additionally, counseling and advisory services, needed by the occupants, will be provided.

A notice explaining the occupant's rights and benefits will be sent to the occupants. A brochure answering many common questions concerning displacement will be included with the notice. Referrals may be considered when the occupants select a replacement home. Because replacement-housing payments are dependent upon the occupant's relocation to a safe, sanitary and decent replacement unit, this fact will be emphasized to the occupant.

Replacement housing benefits are also based upon the displacee occupying a unit comparable to the acquired unit with respect to size, type of neighborhood, and access to employment and public and commercial facilities. No one will be forced to move until and unless they have been given a reasonable choice of safe, sanitary and decent comparable housing units. Everyone will have a minimum of 90-day notice to vacate after suitable housing has been located and referred.

Upon determination of the replacement unit by the occupant, the **CITY** must inspect the unit to ensure that the housing conditions are standard.

After the families and/or individuals occupy the replacement unit, a claim may be filed for moving expenses and replacement housing payments. The **CITY** will review the claim and make payment. Refer to the table below for details of assistance levels (ATTACHMENT 1).

The **CITY** conforms to standard, ethical practices in the relocation of individuals and families and desires to see that all interests are protected. If there are any questions or complaints, the **CITY** solicits the cooperation of all owners and requests an opportunity to discuss them in an effort to satisfy all parties concerned. The **CITY** will follow its adopted Complaint Procedure, contained herein this CDBG Program Manual.

ATTACHMENT 1

UNIFORM RELOCATION ACT

1. Advisory Services
2. Moving Expenses: Actual and Fixed Moving Expenses
3. No Similar Payment
4. Replacement Housing Payment
 - Rental Assistance Payment

Period of Payment: 42 Months

Cap: \$5,250 (If not adequate, Section 206 is Triggered)

Computation of Payment:

Information Needed:

 1. Replacement Dwelling Rent/Utilities
 2. Comparable Replacement Dwelling Rent/Utilities
 3. Displacement Dwelling Rent/Utilities
 4. 30% of Household Monthly Gross Income

Formula:

Lesser of Lines 1 or 2 Minus Lesser of Lines 3 or 4
Times 42 = Payments

Payment: At Discretion of Grantee, Either Installments or Lump Sum
 - Downpayment Assistance Payment

Person May Purchase any Property

Payment Based on Computed Rental Assistance Payment

Payment Equal to the Capitalized Value of the Assistance Payment

SECTION 104(d) OF HCD ACT OF 1974, AS AMENDED

1. Same
2. Same
3. Reimbursement for Cost of Security Deposits and Credit Reports
4. Replacement Housing Assistance
 - Person Choosing to Rent Must be Offered Either:

Certificate or Voucher with Referrals to Comparable Replacement Dwellings Where the Owner Agrees to Participate in the Section 8 Program; or

Cash Rental Assistance to Reduce the Rent and Utility Costs at the Replacement Dwelling to 30% of Income (Adjusted, if appropriate).

Cash Rental Assistance to Reduce the Rent and Utility Costs at the Replacement Dwelling to 30% of Income (Adjusted, if appropriate).

Period of Payment: 60 Months

Cap: None

Computation of Payment:

Information needed:

 1. Replacement Dwelling Rent/Utilities
 2. Comparable Replacement Dwelling Rent/Utilities
 3. 30% of Household Monthly Gross Income (Adjusted, if appropriate.)

Formula:

Lesser of Lines 1 or 2 Minus Line 3 Times 60 = Payment

Payment: Same
 - Person Choosing to Purchase

Person May Buy an Interest in and Occupy a Unit in a Coop or Mutual Housing Association

CLEARANCE GUIDELINES

CITY OF EDEN CDBG PROGRAM

It is the intent of this **CITY COUNCIL** to rehabilitate substandard privately owned dwellings whenever feasible. However, when housing conditions are dilapidated and the cost of rehabilitation is not economically feasible, the **CITY OF EDEN CDBG PROGRAM** provides that these structures be cleared. The selection of property designated for clearance is the result of many months of planning, numerous meetings and public hearings, and final approval by the **CITY COUNCIL** of the **CITY OF EDEN**, North Carolina, and the North Carolina Rural Economic Development Division (REDD).

The objectives of the clearance activities are that this **CITY COUNCIL** shall:

- (1) Only clear those dilapidated structures that are not economically feasible to rehabilitate.
- (2) Follow State and local codes and ordinances with regard to clearance.

This **CITY COUNCIL** will clear privately owned structures as outlined in the **CITY's** application to REDD and subsequent amendments thereto. No member of the **CITY COUNCIL** of the **CITY** and no other official, employee, or agent of the **CITY** government who exercises policy, decision-making functions, or responsibilities in connection with the planning and implementation of the **CDBG PROGRAM** shall directly or indirectly be eligible for this program. This prohibition shall continue for one year after an individual's relationship with the **CITY** government ends. The **CITY COUNCIL** and REDD can waive this stipulation upon approval.

The clearance of structures within the project area will be determined solely upon the condition of the unit. Prior to scheduled clearance activities, the **CITY** will acquire the structure in accordance with the Uniform Act of 1970, as amended, set forth in the Acquisition Guidelines adopted. Acquisition will not be required in cases of voluntary demolition as later prescribed.

The **CITY** and its Community Development Representatives will aid in the implementation of the clearance of each unit and of debris and overgrowth on the parcel by properly procuring services for these activities. Contracting for clearance work will be conducted on a competitive bid basis. The **CITY** will prepare the bid package, solicit, and evaluate bids, and award the contract. Substitutions, additions, or deletions to the contract are strictly prohibited unless an official change order is approved and executed by the **CITY** and the contractor.

Payment to the contractor for the clearance work will take place after receiving a Certification of Completion from the contractor and the **CITY** has inspected and approved all work.

In certain instances whereby the owner of a dilapidated structure wishes to clear voluntarily the structure, acquisition will not be required. The owner will, however, provide an easement to the **CITY** to allow access to the property for the purpose of clearance. The Contractor will provide all materials, tools, machinery and supervision necessary for the clearance activities at no cost to the owner.

In either event, the owners of the vacant property must agree that any reuse of the property will be developed in accordance with applicable **CITY** codes and ordinances.

The **CITY** conforms to standard, ethical practices in the clearance of property and desires to see that all interests are protected. If there are any questions or complaints, the **CITY** solicits the cooperation of all owners and requests an opportunity to discuss them in an effort to satisfy all parties concerned. The **CITY** will follow its adopted Complaint Procedure, contained herein this CDBG Program Manual.

REHABILITATION GUIDELINES

CITY OF EDEN CDBG PROGRAM

It is the intent of this **CITY COUNCIL** to rehabilitate private property in a cost-effective manner in the approved project area whenever feasible to meet the plans and achieve the aims of the **CITY OF EDEN CDBG PROGRAM**. The selection of property designated for rehabilitation is the result of many months of planning, numerous meetings and public hearings, and final approval by the **CITY COUNCIL** of the **CITY OF EDEN**, North Carolina, and the North Carolina Rural Economic Development Division (REDD).

The objectives of the rehabilitation activities are that this **CITY COUNCIL** shall:

- (1) Rehabilitate the property to meet the N.C. Small Cities CDBG Rehabilitation Standards.
- (2) Comply with North Carolina State Building Code.
- (3) Assure consistent treatment to all property owners.

This **CITY COUNCIL** will rehabilitate private property as outlined in the **CITY's** application to REDD and subsequent amendments thereto. No member of the **CITY COUNCIL** of the **CITY** and no other official, employee, or agent of the **CITY** government who exercises policy, decision-making functions, or responsibilities in connection with the planning and implementation of the **CDBG PROGRAM** shall directly or indirectly be eligible for this program. This prohibition shall continue for one year after an individual's relationship with the **CITY** government ends. The **CITY COUNCIL** and REDD can waive this stipulation upon approval.

Length of ownership will not be a consideration in determining applicant eligibility for rehabilitation assistance. Property eligible for rehabilitation must be located in the Project Area.

All properties must be able to comply, in a cost-effective manner, with the N.C. Small Cities CDBG Rehabilitation Standards at the completion of rehabilitation. Housing rehabilitation assistance will be made available at varying levels based upon the owner's income, and in the case of rental property, upon the owner's and tenant's income and the base rent. Refer to Table 1 for details of the Rehabilitation Program Design.

Property rehabilitated with grant funds will require execution of a Promissory Note and Deed of Trust for the amount of the CDBG assistance. The **CITY** at the corresponding rate that is indicated on **Table 1** shall forgive the debt. The debt will reduce monthly for each month such property is owned by the original grantee, his/her surviving spouse or a lineal heir until the entire debt is forgiven. If the property is not sold for the indicated period after the date of the recapture agreement, such indebtedness shall be considered duly forgiven and the Deed of Trust canceled by the **CITY**. If the property is sold within the recapture period, the outstanding balance, as of the date of the sale, shall be due and payable to the **CITY**.

Improvements eligible for rehabilitation assistance include only work required to bring the property up to the N.C. Small Cities CDBG Rehabilitation Standards and existing housing codes. Improvements of this type include work on plumbing, electrical, heating, ventilation and structural systems to assure a proper working condition. Plumbing work may include the installation of bathroom or kitchen fixtures such as a toilet, lavatory, shower or bathtub, and kitchen sink, with hot and cold running water as required. Electrical work includes the installation or repair of lights, switches, electrical outlets, and service panel. Some examples of other improvements that may be eligible for rehabilitation assistance are storm windows, storm doors, and insulation, painting, roof, wall and floor repairs. Also, included will be exterior and interior repairs on the structure to assure a decent, safe, and sanitary living condition.

Improvements not eligible for rehabilitation assistance include any work in excess of the standards and codes listed above. Improvements that are specifically prohibited include additions for family rooms, dens, carports, garages and the like. Sleeping room and bathroom additions are eligible when needed to meet applicable standards.

Applications for rehabilitation assistance will be taken and processed throughout the program year. All property that has rehabilitation potential will be offered assistance. The owner and occupant, in the case of rental property, will be contacted to complete an application.

All owners of rental property will be required to execute a rent control agreement as required by the CDBG regulations under 24 C.F.R § 570.208 (a) (3). This mandates that rents on properties improved by CDBG funds are maintained at affordable level for same period after the project is completed. The affordable rent policy is intended to protect low- to moderate- income (LMI) persons who are living in a housing project funded with CDBG funds. The affordable rent policy shall benefit tenants whose gross household income, adjusted by family size, is less than 80% of County median income according to income limits prepared by HUD (in effect at time when determination is made). The purpose of this policy is to ensure the rental properties that are in the project area remain affordable for LMI households per the CDBG program eligibility requirements and regulations (National Objectives 24 C.F.R §570.208 Section 101(c), Section 104(b)(3), 105(c)). In the NC CDBG Program, there are two options to demonstrate compliance with this requirement:

1. Not increasing tenant's rent; OR
2. Setting tenant's rent at a rate considered "affordable" for the County, meaning that rent will not be allowed to exceed 30% of the tenant's gross family income.

This affordable rent commitment must be executed by the property owners and must be in effect for at least 12 months after the project is finalized and the grant is closed out.

The application consists of a family survey and verification of income for the occupants and a rehabilitation work write-up and cost estimate on the property. Priority will be established according to the approved project schedule, impact of assistance, and household characteristics.

The **CITY**, through its Community Development Project Manager and Housing Rehabilitation Specialist, will assist the property owner in the rehabilitation process. The **CITY's** responsibilities, through the Project Manager and Housing Rehabilitation Specialist, are to process the owner's application, inspect the property, prepare a work write-up, solicit bids for construction, evaluate bids, award the contract, conduct a pre-construction conference, follow progress of construction by conducting periodic inspections, and process the Contractor's payment requests. The Housing Rehabilitation Specialist will conduct inspections, not less than twice per week while rehabilitation is in progress. The Project Manager will make periodic inspections to assure adherence to the rehabilitation guidelines.

The Owner's responsibilities are to provide accurate information, assist in evaluating and awarding the contract, and to provide access to the property for the purpose of inspections and construction. Owner must render property clean, sanitary and free of debris prior to any work beginning. A copy of these rehabilitation guidelines will be provided to each owner to serve as a property owner's guidebook.

Contracting for rehabilitation work will be conducted on a competitive bid basis. The contract will be a three-party contract between the **CITY**, the Owner, and the Contractor. The **CITY** will advertise and maintain a Contractors List. The Owner, the **CITY**, the Community Development Project Manager, and Housing Rehabilitation Specialist will work as a team to prepare the bid package, solicit, and evaluate bids, and award the contract.

Substitutions, additions, or deletions to the work write-up attached to the contract are strictly prohibited unless an official change order is approved and executed by the **CITY**, the Owner, and the Contractor.

Final payment to the Contractor for the rehabilitation work will take place only after receiving a Certification of Completion from the Contractor, a Certification of Satisfaction from the Owner, and the Project Manager/Housing Rehabilitation Specialist and **CITY** representative have inspected and approved all work called for in the work write-up.

The *change of use of real property* standards in 24 C.F.R. 570.489(j) are applicable. The standards described in this section apply to real property within the unit of general local government's control (including activities undertaken by subrecipients) which was *acquired or improved in whole or in part using CDBG funds in excess of the threshold for small purchase procurement (2 CFR 200.88)*. These standards shall apply from the date CDBG funds are first spent for the property until five (5) years after closeout of the unit of general local government's grant. Any changes within the five (5) years would have to serve a CDBG national objective.

The **CITY** conforms to standard, ethical practices in the rehabilitation of private property and desires to see that all interests are protected. If there are any questions or complaints, the **CITY** solicits the cooperation of all persons and requests an opportunity to discuss them in an effort to satisfy all parties concerned. The **CITY** will follow its adopted Complaint Procedure, contained herein this CDBG Program Manual.

TABLE 1 Rehabilitation Financial Design	Name of Applicant: CITY OF EDEN
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Only low income (less than or equal to 50% of area median income) owner occupied units will be rehabilitated/reconstructed in the CDBG Housing Program. CDBG assistance will be in the form of deferred, forgivable loans. Deferred, forgivable loans will be proportionally forgiven over the applicable term of recapture. The financial design is shown below.

Owner Occupants

- Low-income property owners that also occupy the house to be rehabilitated/reconstructed **may** contribute to the cost of rehabilitation/reconstruction.
- Deferred, forgivable loans will be made to owner occupants. Provisions to recapture CDBG funds are described on the chart below. As the level of CDBG assistance increases, the recapture period lengthens.
- The CDBG deferred, forgivable loan may **not** be subordinated to any other type of loan other than a first mortgage that existed prior to the rehabilitation. After rehabilitation/reconstruction, if other non-CDBG financial assistance for rehabilitation is obtained prior to the expiration of the CDBG recapture period, the CDBG deferred, forgivable loan may be subordinated to the new rehabilitation loan. After rehabilitation/reconstruction, the CDBG deferred, forgivable loan may not be subordinated without prior written permission from the **CITY**.
- The CDBG loan must be secured with a Promissory Note and Deed of Trust. The Deed of Trust must be filed with the Register of Deeds prior to signing the contract for rehabilitation/reconstruction.
- The terms of the deferred, forgivable loan will be clearly explained to the loan recipient. A Notice of the Right to Cancel and a Truth-in-Lending Statement must accompany every Deed of Trust and be provided to each owner at closing.

Rehabilitation Financial Design Chart

Owner occupants with household incomes less than or equal to 50% of median income

Type of Assistance

1. 100% deferred forgivable loan 0% interest rate

II. Recapture of funds provisions for owner occupants

Ranges of CDBG contributions per unit	Term Number of Years for Recapture
Less than \$12,000	5 years
\$12,001 - 16,000	6 years
\$16,001 – 20,000	7 years
\$20,001 or more	8 years

Recipients of assistance under the CDBG program will be chosen by the above criteria without regard to race, ethnicity, color, sex, religion, familial status, handicap/disability, marital status, or national origin. The **CITY** must ensure that the families served are at or below 50% of the area median income.

REHABILITATION / RECONSTRUCTION GUIDELINES

CITY OF EDEN CDBG PROGRAM

It is the intent of this **CITY COUNCIL** to rehabilitate/reconstruct homes on private property in a cost-effective manner in the approved project area whenever feasible to meet the plans and achieve the aims of the **CITY OF EDEN CDBG PROGRAM**. The selection of property designated for rehabilitation/reconstruction is the result of many months of planning, numerous meetings and public hearings, and final approval by the **CITY COUNCIL** of the **CITY OF EDEN**, North Carolina, and the North Carolina Rural Economic Development Division (REDD).

The objectives of the rehabilitation/reconstruction activities are that this **CITY COUNCIL** shall:

- (1) Rehabilitate existing dwelling or reconstruct a new dwelling on the same property to meet the N.C. Small Cities CDBG Rehabilitation Standards.
- (2) Comply with North Carolina State Building Code.
- (3) Assure consistent treatment to all property owners.

This **CITY COUNCIL** will rehabilitate/reconstruct private property as outlined in the **CITY's** application to REDD and subsequent amendments thereto. No member of the **CITY COUNCIL** of the **CITY** and no other official, employee, or agent of the **CITY** government who exercises policy, decision-making functions, or responsibilities in connection with the planning and implementation of the **CDBG PROGRAM** shall directly or indirectly be eligible for this program. This prohibition shall continue for one year after an individual's relationship with the **CITY** government ends. The **CITY COUNCIL** and REDD can waive this stipulation upon approval.

Length of ownership will not be a consideration in determining applicant eligibility for rehabilitation/reconstruction assistance. Property eligible for rehabilitation/reconstruction must be located in the Project Area.

All properties must comply, in a cost-effective manner, with the N.C. Small Cities CDBG Rehabilitation Standards at the completion of the rehabilitation/reconstruction. Reconstruction will be used in lieu of rehabilitation for properties that cannot be cost effectively rehabilitated.

Property rehabilitated/reconstructed with grant funds will require execution of a Promissory Note and Deed of Trust for the amount of the CDBG assistance. The **CITY** at the corresponding rate that is indicated on **Table 1** shall forgive the debt. The debt will reduce monthly for each month such property is owned by the original grantee, his/her surviving spouse or a lineal heir until the entire debt is forgiven. If the property is not sold for the indicated period after the date of the recapture agreement, such indebtedness shall be considered duly forgiven and the Deed of Trust canceled by the **CITY**. If the property is sold within the recapture period, the outstanding balance, as of the date of the sale, shall be due and payable to the **CITY**.

Improvements eligible for rehabilitated/reconstructed assistance include only work required to bring the property up to the N.C. Small Cities CDBG Rehabilitation Standards and existing housing codes. Improvements of this type include work on plumbing, electrical, heating, ventilation and structural systems to assure a proper working condition. Plumbing work may include the installation of bathroom or kitchen fixtures such as a toilet, lavatory, shower or bathtub, and kitchen sink, with hot and cold running water as required. Electrical work includes the installation or repair of lights, switches, electrical outlets, and service panel. Some examples of other improvements that may be eligible for rehabilitation assistance are storm windows, storm doors, and insulation, painting, roof, wall and floor repairs. Also, included will be exterior and interior repairs on the structure to assure a decent, safe, and sanitary living condition.

Improvements not eligible for rehabilitation assistance include any work in excess of the standards and codes listed above. Improvements that are specifically prohibited include additions for family rooms, dens, carports, garages and the like. Sleeping room and bathroom additions are eligible when needed to meet applicable standards.

All owners of rental property will be required to execute a rent control agreement as required by the CDBG regulations under 24 C.F.R § 570.208 (a) (3). This mandates that rents on properties improved by CDBG funds are maintained at affordable level for same period after the project is completed. The affordable rent policy is intended to protect low- to moderate- income (LMI) persons who are living in a housing project funded with CDBG funds. The affordable rent policy shall benefit tenants

whose gross household income, adjusted by family size, is less than 80% of County median income according to income limits prepared by HUD (in effect at time when determination is made). The purpose of this policy is to ensure the rental properties that are in the project area remain affordable for LMI households per the CDBG program eligibility requirements and regulations (National Objectives 24 C.F.R §570.208 Section 101(c), Section 104(b)(3), 105(c)). In the NC CDBG Program, there are two options to demonstrate compliance with this requirement:

1. Not increasing tenant's rent; OR
2. Setting tenant's rent at a rate considered "affordable" for the County, meaning that rent will not be allowed to exceed 30% of the tenant's gross family income.

This affordable rent commitment must be executed by the property owners and must be in effect for at least 12 months after the project is finalized and the grant is closed out.

Applications for rehabilitation/reconstruction assistance were taken and processed during the application preparation phase. All eligible owner-occupied households, that completed applications, were considered for assistance. Priority was given according to household characteristics and dwelling condition needs. Applicants and alternates were identified and will be treated until funds are expended.

The **CITY**, through its Community Development Project Manager and Housing Rehabilitation Specialist, will assist the property owner in the rehabilitation/reconstruction process. The **CITY's** responsibilities, through the Project Manager and Housing Rehabilitation Specialist, are to process the owner's application, inspect the property, prepare a work write-up, solicit bids for construction, evaluate bids, award the contract, conduct a pre-construction conference, follow progress of construction by conducting periodic observations, and process the Contractor's payment requests. The Housing Rehabilitation Specialist will conduct progress observations, not less than twice per week while rehabilitation/reconstruction is in progress. The Project Manager will make periodic construction observations to assure adherence to the rehabilitation guidelines.

The Owner's responsibilities are to provide accurate information, assist in evaluating and awarding the contract, and to provide access to the property for the purpose of inspections and construction. Owner must render property clean, sanitary and free of debris prior to any work beginning. A copy of these rehabilitation/reconstruction guidelines will be provided to each owner to serve as a property owner's guidebook.

Contracting for rehabilitation/reconstruction work will be conducted on a competitive bid basis. The contract will be a three-party contract between the **CITY**, the Owner, and the Contractor. The **CITY** will advertise and maintain a Contractors List. The Owner, the **CITY**, the Community Development Project Manager, and Housing Rehabilitation Specialist will work as a team to prepare the bid package, solicit, and evaluate bids, and award the contract.

Substitutions, additions, or deletions to the work write-up attached to the contract are strictly prohibited unless an official change order is approved and executed by the **CITY**, the Owner, and the Contractor.

Final payment to the Contractor for the rehabilitation/reconstruction work will take place only after receiving a Certification of Completion from the Contractor, a Certification of Satisfaction from the Owner, and the Housing Rehabilitation Specialist and **CITY** representative have inspected and approved all work called for in the work write-up.

The *change of use of real property* standards in 24 C.F.R. 570.489(j) are applicable. The standards described in this section apply to real property within the unit of general local government's control (including activities undertaken by subrecipients) which was *acquired or improved in whole or in part using CDBG funds in excess of the threshold for small purchase procurement (2 CFR 200.88)*. These standards shall apply from the date CDBG funds are first spent for the property until five (5) years after closeout of the unit of general local government's grant. Any changes within the five (5) years would have to serve a CDBG national objective.

The **CITY** conforms to standard, ethical practices in the rehabilitation/reconstruction of private property and desires to see that all interests are protected. If there are any questions or complaints, the **CITY** solicits the cooperation of all persons and requests an opportunity to discuss them in an effort to satisfy all parties concerned. The **CITY** will follow its adopted Complaint Procedure, contained herein this CDBG Program Manual.

HOOK UP GUIDELINES

CITY OF EDEN CDBG PROGRAM

It is the intent of this **CITY COUNCIL** to provide a hook-up in a cost-effective manner to approved existing public utility lines to meet the plans and achieve the aims of the **CITY OF EDEN CDBG PROGRAM**. The selection of property designated for hook-up is the result of many months of planning, numerous meetings and public hearings, and final approval by the **CITY COUNCIL** of the **CITY OF EDEN**, North Carolina, and the North Carolina Rural Economic Development Division (REDD).

The objectives of the hook-up activities are that this **CITY COUNCIL** shall:

- (1) Provide hook-up to properties in accordance with the approved CDBG application.
- (2) Comply with North Carolina State Building Code.
- (3) Assure consistent treatment to all property owners.

This **CITY COUNCIL** will hook-up private property as outlined in the **CITY's** application to REDD. No member of the **CITY COUNCIL** of the **CITY** and no other official, employee, or agent of the **CITY** government who exercises policy, decision-making functions, or responsibilities in connection with the planning and implementation of the Community Development Program shall directly or indirectly be eligible for this program. This prohibition shall continue for one year after an individual's relationship with the **CITY** government ends. The **CITY COUNCIL** and REDD can waive this stipulation upon approval.

Length of ownership will not be a consideration in determining applicant eligibility for hook-up assistance. Property eligible for hook-up must be located on existing utility lines that are already in use and installed with non-CDBG funds.

The proposed project will hook-up residences, owned and occupied by low and moderate-income persons. All hook-ups will take place on existing public utility lines that are already in use and installed with non-CDBG funds. The hook-ups will connect the residence completely to the existing line including tap fees, appurtenances, and service lines. All residences connected must have workable indoor plumbing. Improvements eligible for hook-up assistance include only work required to connect the property to assure a proper working condition. No special fees will be assessed.

Only dwellings owned and occupied by low and moderate-income residents at or below 80% of the area median income will be eligible. The **CITY** will advertise and solicit applicants from the areas with public utility lines that have been completely installed in the ground and in use. The **CITY** has developed the following priority system to rank eligible applicants, determine which of them will be selected for assistance, and in what order, they will be assisted. Under this system, applicants will receive points for falling into certain categories. The applications will be ranked according to which receive the most points.

The units to be treated will be selected using the following criteria:

- (a) Income category (Priority to lowest)
- (b) Elderly person in home (62 or older)
- (c) Physically Handicapped person in home
- (d) Single-Parent Household
- (e) Female Headed Household

Applications for hook-up assistance will be taken and processed. All property that has hook-up potential will be prioritized for assistance. The owner will be contacted to complete an application.

The application consists of a family survey and verification of income for the owner/occupants and a hook-up description of work and cost estimate on the property. Priority established according to the approved project application.

The **CITY**, through its Community Development Specialist, will assist the property owner in the hook-up process. The **CITY's** responsibilities, through the Community Development Specialist, are to process the owner's application, inspect the property,

prepare a hook-up description of work, solicit bids for construction, evaluate bids, award the contract, conduct a pre-construction conference, follow progress of construction by conducting periodic inspections, and process the Contractor's payment requests. The Project Manager / Construction Observer will make periodic inspections to assure adherence to the hook-up guidelines.

The Owner's responsibilities are to provide accurate information and to provide access to the property for the purpose of inspections and construction. Owner must render property clean and free of debris prior to any work beginning. A copy of these hook-up guidelines will be provided to each owner to serve as a property owner's guidebook.

All owners of rental property will be required to execute a rent control agreement as required by the CDBG regulations under 24 C.F.R § 570.208 (a) (3). This mandates that rents on properties improved by CDBG funds are maintained at affordable level for same period after the project is completed. The affordable rent policy is intended to protect low- to moderate- income (LMI) persons who are living in a housing project funded with CDBG funds. The affordable rent policy shall benefit tenants whose gross household income, adjusted by family size, is less than 80% of County median income according to income limits prepared by HUD (in effect at time when determination is made). The purpose of this policy is to ensure the rental properties that are in the project area remain affordable for LMI households per the CDBG program eligibility requirements and regulations (National Objectives 24 C.F.R §570.208 Section 101(c), Section 104(b)(3), 105(c)). In the NC CDBG Program, there are two options to demonstrate compliance with this requirement:

1. Not increasing tenant's rent; OR
2. Setting tenant's rent at a rate considered "affordable" for the County, meaning that rent will not be allowed to exceed 30% of the tenant's gross family income.

This affordable rent commitment must be executed by the property owners and must be in effect for at least 12 months after the project is finalized and the grant is closed out.

Contracting for hook-up work will be conducted on a competitive bid basis. The contract will be a two-party contract between the **CITY** and the Contractor. The **CITY** will advertise and maintain a Contractors List. The **CITY** and Community Development Specialist will work as a team to prepare the bid package, solicit, and evaluate bids, and award the contract.

Substitutions, additions, or deletions to the hook-up description of work attached to the contract are strictly prohibited unless an official change order is approved and executed by the **CITY** and the Contractor.

Final payment to the Contractor for the hook-up work will take place only after receiving a Certification of Completion from the Contractor, a Certification of Satisfaction from the Owner, and the Community Development Specialist and **CITY** representative have inspected and approved all work called for in the hook-up description of work.

The *change of use of real property* standards in 24 C.F.R. 570.489(j) are applicable. The standards described in this section apply to real property within the unit of general local government's control (including activities undertaken by subrecipients) which was *acquired or improved in whole or in part using CDBG funds in excess of the threshold for small purchase procurement (2 CFR 200.88)*. These standards shall apply from the date CDBG funds are first spent for the property until five (5) years after closeout of the unit of general local government's grant. Any changes within the five (5) years would have to serve a CDBG national objective.

The **CITY** conforms to standard, ethical practices in the hook-up of private property and desires to see that all interests are protected. If there are any questions or complaints, the **CITY** solicits the cooperation of all persons and requests an opportunity to discuss them in an effort to satisfy all parties concerned. The **CITY** will follow its adopted Complaint Procedure, contained herein this CDBG Program Manual.

PUBLIC FACILITY GUIDELINES

CITY OF EDEN CDBG PROGRAM

It is the intent of this **CITY COUNCIL** to undertake public facility improvements in the approved project area whenever feasible to meet the plans and achieve the aims of the **CITY OF EDEN CDBG PROGRAM**. The selection of public facility improvements is the result of many months of planning, numerous meetings and public hearings, and final approval by the **CITY COUNCIL** of the **CITY OF EDEN**, North Carolina, and the North Carolina Rural Economic Development Division (REDD).

The objectives of the public facility improvement activities are that this **CITY COUNCIL** shall:

- (1) Follow State and local codes and ordinances with regard to public facility improvements.
- (2) Follow Federal and State labor requirements with regard to public facility improvements.
- (3) Assure consistent treatment to all property owners.

This **CITY COUNCIL** will conduct public facility improvements as outlined in the **CITY's** application to REDD and subsequent amendments thereto. The need for public facility improvements within the project area was determined by existing conditions. Prior to beginning scheduled public facility improvement activities, the **CITY** will solicit Request for Proposals to provide engineering services for basic design, contract administration and construction observation. The Proposals submitted will be evaluated, an Engineer selected and a contract for engineering services executed. The **CITY** will undertake public facility improvements in accordance with the following labor standards; The Davis-Bacon Act, The Copeland "Anti-Kickback" Act, The Contract Work Hours and Safety Standards Act and The Fair Labor Standards Act. The Community Development Representative will request the required wage determinations, review contractor payroll reports and conduct contractor employee interviews.

The **CITY** and its Community Development Representative will aid the Engineer in the basic design, contract administration and construction observation of the public facility improvements. Contracting for public facility improvement construction will be conducted on a competitive bid basis. The Engineer will request required permits, prepare bid specifications including Supplemental General Conditions relating to CDBG Compliance Requirements, solicit bids for construction, evaluate bids, recommend award of the contract, conduct a pre-construction conference, observe the construction, recommend payment of the Contractor's payment requests and process the certification of completion.

Applications for public facility improvement assistance will be taken and processed. The application consists of a family survey and verification of income for the occupants. All property adjacent to public facility improvements will receive assistance. The owner and occupant, in the case of rental property, will be contacted to complete an application. The owner may be asked to provide a temporary easement to the **CITY** to allow access to the property for the purpose of the public facility improvements. Should a permanent easement be required for the purpose of public facility improvements, the **CITY** will follow the Acquisition Guidelines relative to the purchase of real property.

The **CITY** conforms to standard, ethical practices to undertake public facility improvements and desires to see that all interests are protected. If there are any questions or complaints, the **CITY** solicits the cooperation of all owners and requests an opportunity to discuss them in an effort to satisfy all parties concerned. The **CITY** will follow its adopted Complaint Procedure, contained herein this CDBG Program Manual.

COMPLAINT PROCEDURE

CITY OF EDEN CDBG PROGRAM

Citizens may make comments at any point in the program including planning, implementation, and closeout. The CITY will respond in writing to written citizen comments. Citizen comments should be mailed to: CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER, CITY OF EDEN, PO BOX 70, 308 EAST STADIUM DRIVE, EDEN, NC 27289-0070; FAX: 336-623-4057; TDD: 800-735-2962 (711). The CITY will respond to all written citizen comments within ten (10) calendar days of receipt of the comments.

Should any individual, family, or entity have a complaint concerning the CITY OF EDEN Community Development Program, the complaint should first be discussed with the CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER. ALL EFFORTS SHOULD BE EXHAUSTED TO RESOLVE THE COMPLAINT AT THIS LEVEL.

If the complaint cannot be resolved in this manner, a meeting with the CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER to discuss the complaint should be requested. The request should be in writing and should briefly outline the complaint. A meeting date and time will be established within five (5) calendar days of receipt of the request. Upon meeting and discussing the complaint, a reply will be made, in writing, within five (5) calendar days.

If the citizen is dissatisfied with the local response, they may write to:

FOR CDBG-INFRASTRUCTURE: North Carolina Department of Environmental Quality, Division of Water Infrastructure, 1633 Mail Service Center, Raleigh, North Carolina 27699-1633, Phone: (919) 707-9189, TDD: (800) 735-2962 or 711.

FOR CDBG-NEIGHBORHOOD REVITALIZATION: NC Department of Commerce, Rural Economic Development Division, CDBG Section, 4346 Mail Service Center, Raleigh, North Carolina 27699-4346, Phone: (919) 814-4673, TDD: (800) 735-2962 or 711.

*This information is available in Spanish or any other language upon request. Please contact **(City Planning & Community Development Director Kelly Stultz)** at **(336-623-2110)** or at **(308 East Stadium Drive, Eden, NC 27288)** for accommodations for this request. Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con **(City Planning & Community Development Director Kelly Stultz)** al **(336-623-2110)** o en **(308 East Stadium Drive, Eden, NC 27288)** de alojamiento para esta solicitud.*



CONTRACTS OFFICER DESIGNATION

CITY OF EDEN CDBG PROGRAM

The **CITY COUNCIL** of the **CITY OF EDEN**, North Carolina, hereby designates the **CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER**, and titled successor(s) or designee(s), to serve as Contracts Officer(s) throughout the implementation of the **CITY OF EDEN** Community Development Program, with the authority to execute contracts pertaining to acquisition, disposition, relocation, clearance, rehabilitation, rehabilitation/reconstruction, hook-up, public facilities, and administration within the limitations of the approved Grant Application and State and Federal Procurement Procedures.

LABOR STANDARDS OFFICER DESIGNATION

CITY OF EDEN CDBG PROGRAM

The **CITY COUNCIL** of the **CITY OF EDEN**, North Carolina, hereby designates the **CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER**, and titled successor(s) or designee(s), to serve as Labor Standards Officer(s) throughout the implementation of the **CITY OF EDEN CDBG PROGRAM**, with the authority to enforce compliance with labor standards on all jobs requiring labor standards provisions.

VERIFICATION OFFICER DESIGNATION

CITY OF EDEN CDBG PROGRAM

The **CITY COUNCIL** of the **CITY OF EDEN**, North Carolina, hereby designates the **CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER**, and titled successor(s) or designee(s), to serve as Verification Officer(s) throughout the implementation of the **CITY OF EDEN CDBG PROGRAM**, with the responsibility to verify the eligibility of all contractors and subcontractors participating on jobs funded in full or in part with Community Development funds.

JUST COMPENSATION OFFICER DESIGNATION

CITY OF EDEN CDBG PROGRAM

The **CITY COUNCIL** of the **CITY OF EDEN**, North Carolina, hereby designates the **CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER**, and titled successor(s) or designee(s), to serve as Just Compensation Officer(s) throughout the implementation of the **CITY OF EDEN CDBG PROGRAM**, with the authority to certify just compensation of private property acquisition within the limitations of the approved Grant Application.

FINANCIAL MANAGEMENT PROCEDURE

CITY OF EDEN CDBG PROGRAM

The **CITY** is required to maintain a financial accounting system for the Community Development Block Grant Program. This system must comply with various Federal guidelines for financial management of federally assisted activities. To comply with these regulations, the **CITY** must have a financial management system that provides accurate, current, and complete disclosure of the financial status of each CDBG-supported activity. To ensure that the Federal guidelines, specifically, 2 CFR 200, are met, the **CITY** will comply with the following financial management procedures:

- A. The financial management system must permit the comparison of actual expenditures and revenues against budgeted amounts. To meet this requirement, the **CITY** will maintain separate revenues and expenditures ledgers by fund and activity. In addition, a balance sheet of accounts will be maintained to indicate cash flow.
- B. The **CITY** must have procedures to ensure that project costs are reasonable, allowed by the funding agency and are allocated to project cost line item budgets. All accounting records must be supported by source documentation and maintained for a three-to-five-year period following closeout of the program.
- C. Cost Allocation Plan: Federal Office of Budget & Management (OMB) Circular A-87 (“Cost Principles for State, Local and Indian Tribal Governments”) was superseded by 2 CFR Part 225, and then by 2 CFR Part 200. However, the general principles remain such that local governments receiving federal awards must identify, assign, and allocate indirect and direct costs of project activities on a reasonable and consistent basis. The **CITY** will compare its existing cost allocation plan to the guidance presented in Appendix V to 2 CFR 200 “State/Local Governmentwide Central Service Cost Allocation Plans” and make a determination of reasonably expected costs associated with the CDBG grant. *Examples may include, but are not limited to: mailing and postage; office supplies; public notices & outreach; staff training; and full-time equivalent of local staff that may work on the CDBG project.*

For expected costs associated with the CDBG grant, the **CITY** will maintain records that include a description of the service or good, applicable procurement procedures, invoices and / or statements, balances of expenditures and deposits, and explanation of being grant-related, and if needed, prior approval from the funding agency for said cost.

Any reimbursement issued to **CITY** staff for trainings related to the project and the CDBG discipline must be requested by the funding agency, and any related travel, mileage, sustenance, and lodging must adhere to current State per diem rates.

- D. The **CITY** will follow an ADVANCEMENT method of payment procedure whereby the Project Manager will review vouchers and invoices to make sure they are legitimate costs consistent with approved contracts or purchase orders, and to make sure that they are charged to the correct program activity. A Request for Check form will be prepared by the

Project Manager and presented to **CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR / CITY MANAGER**, or successors, for review. A Request for Check will not be issued unless the voucher or invoice clearly describes the services rendered or product obtained. The **CITY FINANCE DIRECTOR** will review the Request for Check, determine if adequate funds available, and issue a payment for payment of the invoice after ONE (1) of the local officials named on the current Signature Card approves the Request for Check.

- E. Disbursement of funds shall be made no less than monthly, with the request exceeding \$2,500 unless it is the last payment. Never will the amount of the requisition exceed the total amount of the funds needed. The requisition will be completed in accordance with Rural Economic Development Division (REDD) requirements and follow OMB cost principles. No grant funds may be used to pay for expenses dated or accrued prior to Contract Executed Date by REDD. No grant funds may be obligated or expended except for the administration activity until receipt of the Release of Funds letter from REDD.
- F. The Requisition shall bear the signatures of TWO (2) of the local officials indicated on the current Signatory Card. The Requisition and backup documentation will be submitted to REDD with the original being sent to Grant Representative. A copy will be maintained in the **CITY's** files. The **CITY** should allow up to 30 days for invoices and request for funds to be processed. The **CITY** should inform contractors of this timeframe. Upon receipt of the CDBG funds, the **CITY FINANCE DIRECTOR** will immediately record the deposit into the account set up for CDBG funds. CDBG funds must stand alone and are not to be mingled with other grants or other sources of funding.
- G. A mechanism must be developed to ensure compliance with the "Three Day Rule." Should the **CITY** follow an Advancement method of payment procedure, **advance payments from REDD must be spent within THREE (3) banking days of receipt**. The **CITY** will ensure that funds are expended within THREE (3) banking days of receipt by requisitioning funds only upon receipt of vouchers, and/or invoices, and/or progress payment requests. Never will the amount of the requisition exceed the total amount of the funds needed.
- H. This Financial Management System will be maintained by the **CITY FINANCE DIRECTOR** and adhered to by the Project Manager and all program participants. The **CITY** will maintain all accounting records for a three-to-five-year period following program closeout.

NEIGHBORHOOD REVITALIZATION CONTRACTOR PROCUREMENT AND DISBURSEMENT POLICY

CITY OF EDEN CDBG PROGRAM

PROCUREMENT POLICY

1. To the maximum extent practical, the **CITY** promotes a fair, open and competitive procurement process as required under the CDBG-NR Program. Bids are invited from Contractors who are part of the **CITY's** Approved Contractor Registry. Any current contractor listed with and approved by the **CITY** and in good standing (i.e., no unresolved past performance issues and not listed on the federal or state debarred list) will receive automatic approval status on the contractor registry.
2. To be listed in the Approved Contractor Registry, a contractor must complete an application, have their recent work reviewed and approved by the **CITY's** Housing Rehab Manager or Rehabilitation Specialist and submit proof of insurance. All contractors working on pre-1978 units must be Renovate, Repair and Paint Rule (RR&P) Certified Renovators working for Certified Renovation firms; only those contractors with this certificate on file will be invited to bid on pre-1978 homes.
3. At least three eligible contractors on the **CITY's** approved contractor registry shall be invited to bid on each job and the lowest responsive and responsible bidder shall be selected for the contract. "Responsive and responsible" means (a) the contractor is deemed able to complete the work in a timely fashion, (b) the bid is within 20%, in either direction, of the **CITY's** cost estimate, (c) the contractor has not been suspended or debarred and (d) there is no conflict of interest (real or apparent). The **CITY** will conduct a public bid allowing qualified vendors to provide quotes, bids or proposals for the product or services needed. Every reasonable effort will be made to receive at least three quotes, bids, or proposals. Bid package request will be sent out to contractors on the Approved Contractor Registry via email.
4. Although bid packages may be bundled for multiple job sites, the bids for multiple job sites shall be considered separate and apart when awarded and shall be awarded to the lowest responsive and responsible bidder(s) for each job site.
5. Bid packages shall consist of an invitation to bid, work write up(s) and bid sheet(s) for each job, including instructions for distribution and receipt of bids. Contractors will be given no less than seven days in which to inspect the property and prepare bid proposals. Each contractor will need access to all parts of the house in order to prepare a bid. A bid opening will be conducted at **CITY HALL** located at **308 EAST STADIUM DRIVE, EDEN, NC 27288** at a specified date and time, with all bidders invited to attend.
6. Bids must include a cost-per-item breakdown with line-item totals equaling the submitted bid price. Discrepancies must be reconciled prior to a contract being awarded.
7. The **CITY** reserves the right to reject any or all bids at any time during the procurement process.
8. In the event of a true emergency situation, the **CITY** reserves the right to waive normal procurement procedures in favor of more expedient methods, which may include seeking telephone quotes, electronic bids, and the like. Should such methods ever become necessary, the transaction will be fully documented. In the event phone bids are used, the **CITY** will call the first three responsive contractors on the approved contractor list. The **CITY** will track who has been called and responsive and will rotate through the full list before beginning the rotation again.
9. All sealed bids will be opened publicly at a time and place to be announced in the bid invitation. All bidders are welcome to attend. Within 72 hours of the bid opening, after review of bid breakdowns and construction schedules, the winning bidders will be selected. All bidders will be notified in writing of 1) the selection of the winning bid, 2) the amount of the winning bid, 3) the amount of the **CITY's** cost estimate, and 4) the specific reasons for the selection, if other than the lowest bidder was selected.
10. The contractor is responsible for obtaining a building permit for the project before beginning work, if supported by local jurisdiction. The permit must be posted at the house during the entire period of construction. If applicable, the contractor will obtain a permit for lead hazard related activities. The **CITY's** Rehabilitation Specialist will closely monitor

the contractor during the construction period to make sure that the work is being completed according to the work write-up (which is made a part of the rehabilitation contract by reference) and in a timely fashion. Local Code Enforcement Officials will inspect the work for compliance with the NC State Building Code and the local minimum housing code, when applicable. To protect personal property the homeowner will be responsible for working with the contractor toward clearing work areas of personal property as needed as much as practicable. The contractor will be responsible for all clearing and cleaning activities necessary due to construction activities.

11. Any change to the original scope of work must be reduced to writing in the form of a change order to be agreed upon and signed by all parties to the original contract including at minimum, the homeowner, the contractor and two representatives of the **CITY**. The change order must also detail any changes to the original contract price.
12. No work may begin prior to a contract being awarded and executed and a written order to proceed provided to the contractor. In addition, a pre-construction conference and "walk thru" shall be held at the work site prior to commencement of repair work or at the specified location determined by **CITY** staff. At this time, the homeowner, contractor, and **CITY** program representative(s) will discuss the details of the work to be completed. Starting and ending dates will be finalized, along with any special arrangements such as weekend or evening work hours and disposition of items to be removed from the home. Within 2 weeks of the pre-construction conference, the **CITY** will issue a "proceed order" formally instructing the contractor to commence work by the agreed-upon date.
13. The **CITY** is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool. Contractors will be chosen by the above criteria without regard to race, color, religion, national origin, sex, familial status and/or disability.

DISBURSEMENT POLICY

1. All repair work must be inspected by (a) the **CITY's** Rehabilitation Specialist, (b) the local building or minimum housing code inspector when applicable and (c) the homeowner prior to any final payments to contractors. If all work is deemed satisfactory and all other factors and written agreements are in order, payment shall be issued upon presentation of an original invoice from the contractor. The contractor should allow 21 business days for processing of the invoice for payment.
2. The contractor is entitled to request two partial payments up to 75% of the total contract amount and a final payment, but only at the discretion of the Rehabilitation Specialist. When a payment is requested, the Rehabilitation Specialist will inspect the work within three days, determine percentage of job completion and calculate a payment.
3. Following construction, the contractor and the Housing Rehabilitation Specialist will meet with the homeowner in a post-construction conference. At this conference the contractor will hand over all owner's manuals and warranties on equipment and materials to the homeowner and be available to answer homeowner questions.
4. Project Closeout: When the contractor declares the work complete, the Housing Rehabilitation Specialist will thoroughly inspect the work. If any of the work is deemed unsatisfactory, it must be corrected prior to authorization of final payment. If the contractor fails to correct the work to the satisfaction of the **CITY's** Housing Rehab Rehabilitation Specialist, payment may be withheld until the work is deemed satisfactory. (Contractors may follow the **CITY's** CDBG-NR Assistance Policy if a dispute occurs; however, contractors shall abide by the final decision as stated in the policy). Following construction, the **CITY's** Housing Rehabilitation Specialist will sign off on the work and meet with the homeowner to review all completed work and obtain final documents to be signed by the homeowner. After receipt of the contractor's final invoice, inspections, certificate of completion and lien releases signed, the final payment will be ordered. All material and workmanship will be guaranteed by the contractor for a period of one-year, using the date the Rehab Specialist declares all work complete and approves the final invoice for payment.
5. The **CITY** assures, through this policy, that adequate funds shall be available to pay the contractor for satisfactory work.
6. All contractors, sub-contractors, and suppliers must sign a lien waiver prior to disbursement of funds.

NEIGHBORHOOD REVITALIZATION ASSISTANCE POLICY

CITY OF EDEN CDBG PROGRAM

I. WHAT IS THE CDBG-NEIGHBORHOOD REVITALIZATION PROGRAM?

The CDBG Neighborhood Revitalization (NR) program is designed to provide grants to local units of government for housing, housing related activities, and public facilities. Awards are made on a competitive basis based on the number of applications received compared to funding availability.

The program supports the three livability principles that helps guide sustainability and resiliency throughout areas that receive funding. Regardless of the program activity or activities local governments pursue, the program projects must incorporate at least one of the following three livability principles as an area of focus:

II. CDBG-NR 3 LIVABILITY PRINCIPLES

- Promote equitable, affordable housing. Expand location and energy-efficient housing choices for people of all ages, incomes, races, and ethnicities to increase mobility and lower the combined cost of housing and transportation.
- Support existing communities. Target federal funding toward existing communities - through strategies like transit-oriented, mixed-use development, and land recycling - to increase community revitalization and the efficiency of public works investments and safeguard rural landscapes.
- Value communities and neighborhoods. Enhance the unique characteristics of all communities by investing in health, safe, and walkable neighborhoods - rural, urban, or suburban.

The **CITY** has been awarded \$750,000 in CDBG-NR funds, a portion of which (\$141,600) apply toward the rehabilitation owner-occupied single-family homes in the **CITY OF EDEN**.

This Assistance Policy describes who is eligible for assistance under the CDBG-NR, how applications for assistance were ranked, what the terms of assistance are, and how the rehabilitation process will be managed. The **CITY** has designed the CDBG-NR project to be fair, open, and consistent with its awarded application for funding and with CDBG-NR Program Guidelines. The funds are provided by Small Cities Community Development Block Grant (CDBG) Program, U.S. Department of Housing and Urban Development and will cover all costs of the project.

III. EMERGENCY AND HEALTH NOTIFICATIONS

Due to the current COVID-19 pandemic, increased awareness of the need to protect **CITY** representatives and the homeowners they serve from various health related exposures has become more apparent than ever. Homeowners participating in the CDBG-NR program must agree to follow all local, state, and federal guidelines for emergency preparedness surrounding the COVID-19 pandemic and any other emergency declared that includes their property address for the duration of construction on the property.

IV. WHO IS ELIGIBLE TO APPLY?

Owner occupied units that are designated as real property whether stick built, manufactured after 1978 or modular housing may be rehabilitated in the CDBG-NR Program. However, manufactured homes rehabilitated with CDBG-NR funds must have been converted into real property (*according to G.S. 105-273 paragraph 13*) that is owned and occupied by the homeowner prior to selection.

Substantial Rehabilitation - Projects that have rehabilitation costs above \$72,000 per unit or \$70 per square foot including Lead Based Paint treatment costs and any other additional funds. Grantees are required to submit such projects to REDD for prior approval.

V. HOW ARE APPLICATIONS RANKED?

The Housing Selection Committee prioritized applications based on the following: must be located in the project area, must be owner-occupied, income (lower incomes receive higher priority), occupant needs (elderly, handicap/disabled, large family, single parent, lead paint), needs of the home (what type of improvements are needed are they life threatening, structural, or necessary systems of the home). The survey forms that were used during the survey process addressed all the priorities identified above.

Applicants were given a score based on the information provided in the application that addresses the above-mentioned priorities. Within each priority points are accumulated; the top scoring applications will be chosen to participate if the applicant is able to provide the necessary income and ownership verification documents and is willing to sign all the required documents to meet the CDBG-NR program regulations. The Housing Selection Committee also chose a select number of alternates based on score to have in place in case one of the selected applicants is unable to participate.

Recipients of assistance under the CDBG-NR Program were chosen by the above criteria without regard to race, color, religion, national origin, sex, familial status, and disability.

VI. WHAT ARE THE TERMS OF ASSISTANCE UNDER CDBG-NR?

The form of CDBG-NR assistance is a 0% interest, forgivable loan covering all costs associated with the rehabilitation of the homes selected for participation. As long as the borrower lives in the home, no payments on the loan will be required.

The **CITY** will create loan documents for the homeowner(s) including a Promissory Note and Deed of Trust covering all costs for the rehabilitation in an amount not to exceed \$72,000.

Below is a table that provides the **CITY’s** recapture periods based on the amount of CDBG assistance.

<u>CDBG Assistance</u>	<u>Recapture Period</u>
Less than \$12,000	5 years
\$12,001-16,000	6 years
\$16,001-\$20,000	7 years
\$20,001 or more	8 years

VII. WHAT KIND OF WORK WILL BE DONE?

Each house selected for assistance must be rehabilitated to meet NC Commerce CDBG-NR Rehabilitation Criteria. That means every house must, upon completion of the rehabilitation:

- meet the more stringent requirements of either NCHFA’s Essential Property Standard or the **CITY’s** Minimum Housing Code. These are “habitability standards” which set minimum standards for decent, safe, and sanitary living conditions. Additionally, the home must meet applicable Lead-Based Paint regulations 24 CFR part 35.
- retain no “imminent threats” to the health and safety of the home’s occupants or to the home’s “structural integrity”. (An example of an imminent threat to occupants as well as to the home’s structural integrity is an infestation of insects or a crawlspace that is too damp).

These requirements are spelled out in full in the NC Commerce CDBG-NR Program Guidance Guideline which you may access anytime online at <https://www.nccommerce.com/>.

In addition to the above items that must be done to satisfy program requirements, the scope of work may include approved items meant to reduce future maintenance and operational costs or to further protect homes from natural disasters and/or home modifications designed to enable greater accessibility for household members to function more independently as they age.

Once the rehabilitation is complete, major systems in the home that, with reasonable maintenance and normal use, should be capable of lasting another 5 years include: structural support, roofing, cladding, and weatherproofing, plumbing, electrical and heating/cooling systems.

Of course, contractors performing work funded under CDBG-NR are responsible for meeting all local requirements for permits and inspections. All work done under the program must be performed to meet NC State Residential Building Code standards. (This does not mean, however, that the whole house must be brought up to current Building Code Standards.) Upon the date of approval by the CITY of the contractor's request for final payment, a one-year warranty on all products and workmanship will begin.

VIII. WHAT ABOUT LEAD-BASED PAINT?

Until it was discovered to be a health hazard, lead was used for centuries to make house paints. Now we know that lead exposure is a serious problem for everyone and especially small children. Selling lead paint was outlawed in 1978, but many older buildings still contain lead paint and children are still being poisoned.

Under CDBG-NR, a lead hazard evaluation must be performed on every home selected for rehabilitation that was built before 1978. The specific type of evaluation and the appropriate lead hazard reduction work performed will depend on the total amount of Federal funds used to rehabilitate the home, as per 24 CFR part 35. If required, lead-based paint hazard reduction and/or abatement will be performed by contractors who are trained and certified to perform such work.

It may be necessary for the household to relocate during the construction process for the protection against lead poisoning. If relocation is required, all costs will be covered through funds from the CDBG-NR grant.

IX. WHO WILL DO THE WORK ON THE HOMES?

THE CITY IS OBLIGATED UNDER CDBG-NR TO ENSURE THAT QUALITY WORK IS DONE AT REASONABLE PRICES AND THAT ALL WORK IS CONTRACTED THROUGH A FAIR, OPEN, AND COMPETITIVE PROCESS. TO MEET THESE REQUIREMENTS, THE CITY WILL INVITE BIDS FROM QUALIFIED VENDORS WHO ARE PART OF AN "APPROVED CONTRACTORS REGISTRY". FOR ADDITIONAL INFORMATION ABOUT PROCUREMENT AND DISBURSEMENT PROCEDURES, PLEASE REFER TO THE CITY CDBG-NR PROCUREMENT AND DISBURSEMENT POLICY FOR THIS PROJECT.

- All qualified members of the Approved Contractors Registry will be invited to bid on each job, and the lowest responsive and responsible bidder will be selected for the contract.
- All contractors working on pre-1978 units must be Renovate, Repair and Paint Rule (RR&P) Certified Renovators working for Certified Renovation firms.
- Homeowners who know of quality rehabilitation contractors that are not on the approved contractor's registry are welcome to invite them to apply.

X. WHAT ARE THE STEPS IN THE PROCESS, FROM APPLICATION TO COMPLETION?

You now have information about how the application process occurred for the CDBG-NR grant and what type of work can be done through the program. Here are the steps for getting the work done:

1. **Completing an application form:** Homeowners within the project area were notified of this project and encouraged to apply. It was conveyed to homeowners that proof of ownership and income would be required to be eligible. Those houses that do not fall within the project area will not be eligible.
2. **Notice of Disposition:** After the CITY received and scored applications, a letter was sent to the applicants advising them of their status. The applicants who were selected and those who were not appropriate for the program were notified. Applicants whose homes who were selected for the program will be required to provide income verification, home ownership and other qualification checks as required by the program. Those applicants who were not selected

but who rank highly will be listed as alternates.

- 3. Screening of applicants:** The Housing Selection Committee prioritized applications based on the following: must be located in the project area, must be owner-occupied, income (lower incomes receive higher priority), occupant needs (elderly, handicap/disabled, large family, single parent, lead paint), needs of the home (what type of improvements are needed are they life threatening, structural, or necessary systems of the home). The survey forms that were used during the survey process addressed all the priorities identified above.

Applicants were given a score based on the information provided in the application that addresses the above-mentioned priorities. Within each priority points are accumulated; the top scoring applications will be chosen to participate if the applicant is able to provide the necessary income and ownership verification documents and is willing to sign all the required documents to meet the CDBG-NR program regulations. The Housing Selection Committee also chose a select number of alternates based on score to have in place in case one of the selected applicants is unable to participate.

- 4. Written agreement:** A Homeowner Written Agreement, between the homeowner and the **CITY**, will be executed. This Agreement will certify that the property is the principal residence of the owner, that the post-rehab value of the property will not exceed 95% of the 203(b) limits established by HUD and defines the CDBG-NR maximum amount and form of assistance being provided to the homeowner, the scope of work to be performed, the date of completion and the rehabilitation criteria and standards to be met.
- 5. Pre-rehab inspection & unit evaluation:** The **CITY's** Rehabilitation Specialist will visit each house for a thorough inspection. All parts of the home must be made accessible for inspection, including the attic and crawlspace. The owner should report any known problems such as electrical short circuits, blinking lights, roof leaks, etc. Each unit will be evaluated for energy-saving opportunities such as air-sealing and duct-sealing as well as for environmental concerns, such as lead based paint hazards, radon, and asbestos.
- 6. Work write-up:** The Rehabilitation Specialist will prepare complete and detailed work specifications (known as the "work write-up"). A final cost estimate will also be prepared by the Rehabilitation Specialist and held in confidence until bids are received from contractors.
- 7. Lead and Other Testing:** The **CITY** will arrange for a certified firm to inspect all pre-1978 constructed homes for potential lead hazards (required) and asbestos hazards (as deemed necessary by the Rehabilitation Specialist in all homes built during, before and after 1978). All homes will be tested for radon. The owner will receive information covering the results of the tests and any corrective actions that will be needed as part of the rehabilitation.
- 8. Bidding:** The work write-up and bid documents will be conveyed to all contractors from the Approved Contractor Registry who will be given no less than seven days in which to inspect the property and prepare bid proposals. Each contractor will need access to all parts of the house in order to prepare a bid. A bid opening will be conducted at **CITY** Hall located at **308 EAST STADIUM DRIVE, EDEN, NC 27288**. All bidders are invited to attend, but attendance is not required.
- 9. Contractor selection:** Within 72 hours of the bid opening the winning bidders will be selected. All bidders and the homeowner will be notified in writing of 1) the selection of the winning bid, 2) the amount of the winning bid, 3) the amount of the **CITY's** cost estimate, and 4) the specific reasons for the selection, if other than the lowest bidder was selected.
- 10. Loan closing and contract execution:** Loan documents (Promissory Note and Deed of Trust) will be prepared by the **CITY** as the lender and executed by the homeowner. *By law, homeowner's have the right to hire legal representation of their choosing at loan closing.* If a homeowner does not have "representation" at the closing, the borrower must sign a **CITY** "Legal Advice Disclosure". Rehabilitation contract documents will be executed by the **CITY** and contractor with the homeowner signing on as an interested third party prior to the commencement of any construction. The **CITY** will facilitate with the loan closing and recordation of these documents.
- 11. Pre-construction conference:** A pre-construction conference will be held at the selected applicant's house. At this time, the homeowner, contractor, and the **CITY** CDBG program representatives will discuss the details of the work to be

completed. Starting and ending dates will be finalized, along with any special arrangements such as weekend or evening work hours and disposition of items to be removed from the home. The **CITY** will issue a "proceed order" formally instructing the contractor to commence work by the agreed-upon date.

- 12. Construction:** The contractor is responsible for obtaining and posting all permits for the project before beginning work. The **CITY's** CDBG-NR Program staff will closely monitor the contractor during the construction period and local Code Enforcement Officials will inspect the work when applicable. To protect personal property the homeowner will be responsible for working with the contractor toward clearing work areas of personal property as needed as much as practicable. The contractor will be responsible for all clearing and cleaning activities necessary due to construction activities.
- 13. Change Orders:** All changes to the scope of work must be approved by the owner, the contractor, the **CITY's** Rehabilitation Specialist and CDBG program representatives, and reduced in writing as a contract amendment ("change order"). The owner, contractor and two **CITY** personnel must execute any change order agreements to the construction contract.
- 14. Progress payments:** The contractor is entitled to request a maximum of two partial payments up to 75% of the total contract amount and a final payment. When a payment is requested, the Rehabilitation Specialist will inspect the work within three days, determine percentage of job completion and calculate a payment based on 90% of the contract price (from the contractors cost breakdown as approved by the **CITY**) of the work completed on each line item which is 100% complete.
- 15. Closeout:** The homeowner will sign a satisfaction agreement. The Rehabilitation Specialist and **CITY** program representatives sign off on work when complete. When the Rehabilitation Specialist and the homeowner are satisfied that the contract has been fulfilled, the homeowner, **CITY** program representatives, and Rehabilitation Specialist will sign off on the work. All material and workmanship will be guaranteed by the contractor for a period of one-year from the date of completion of the work as established by the **CITY** approval date of the final pay requisition. The **CITY** will notify the homeowner in writing of this date.
- 16. Post-construction conference:** Following construction, the contractor and Rehabilitation Specialist will sit down with the homeowner one last time. At this conference, the contractor will hand over all owner's manuals and warranties on equipment and materials to the homeowner. The contractor and Rehabilitation Specialist will go over operating and maintenance requirements for the new equipment, materials and appliances and discuss general maintenance of the home with the homeowner. The homeowner will have the opportunity to ask any final questions about the work.
- 17. Final loan amount determination:** If, upon completion of all rehabilitation work, the contract price has changed due to the effect of change orders, and there is a need to modify the loan. The **CITY** will prepare an estoppel for a loan reduction or modification agreement for loan increases as necessary at the time of closeout of the unit. The loan will remain the property of the **CITY**, with original documents remaining there for storage and "servicing. Please note that it is the responsibility of the homeowner to record an estoppel if they wish this to be reflected in the Deed of Trust.
- 18. Dispute Clause:** Any disputes should be sent to the **CITY HALL at 308 EAST STADIUM DRIVE, EDEN, NC 27288 (PO BOX 70 27289-0070)** in writing. The **CITY** will respond to the dispute within 15 days in writing. If that does not resolve the dispute it can be resubmitted but will be taken to the North Carolina Commerce, Rural Economic Development Division to help resolve the issue.
- 19. The warranty period:** It is extremely important that any problems with the work that was performed be reported by the homeowner to the **CITY**, as soon as possible in writing. All bona fide defects in materials and workmanship reported within one year of completion of construction will be corrected free of charge by the contractor.

XI. WHO CAN I CONTACT ABOUT THE CITY OF EDEN CDBG-NR PROGRAM?

KELLY STULTZ, CITY PLANNING & COMMUNITY DEVELOPMENT DIRECTOR; CITY OF EDEN;
PO BOX 70, 308 EAST STADIUM DRIVE, EDEN, NC 27289-0070;
PHONE: 336-623-2110; FAX: 336-623-4057; TDD: 800-735-2962 (711); KStultz@edennc.us; <https://www.edennc.us/home>

CITY OF EDEN CDBG CORONAVIRUS (CDBG-CV) PROGRAM
Resolution Approving Administrative Guidelines and Policies

WHEREAS, the City of Eden wishes to carry out its Community Development Block Grant Coronavirus (CDBG-CV) Program in accordance with established state and federal administrative guidelines.

NOW, THEREFORE, the Eden City Council hereby collectively adopts the following resolutions, guidelines, plans and policies, and resolves that they be utilized during the administration of the City of Eden CDBG-CV Program:

1. Project Budget Ordinance
2. Financial Management Resolution
3. Assistance Policy
4. Citizen Participation Plan
5. Residential Anti-displacement and Relocation Assistance Plan
6. Local Jobs Initiative (Section 3) Plan
7. Code of Conduct
8. Fair Housing Policy
9. Excessive Force Policy
10. Procurement Standards
11. Equal Opportunity Plan
12. Language Access Plan (Providing Meaningful Communication with Persons with Limited English Proficiency)
13. Duplication of Benefits (DOB) Policy/Plan

Adopted this 17th day of August 2021.

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

CITY OF EDEN CDBG CORONAVIRUS (CDBG-CV) PROGRAM
Project Budget Ordinance

Be it ordained by the City of Eden, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. The project authorized is the Community Development Block Grant Coronavirus (CDBG-CV) Program described in the work statement contained in the grant agreement and funding approval (Grant #20-V-3501) between the City of Eden and the North Carolina Department of Commerce, Rural Economic Development Division. This project is more familiarly known as the City of Eden CDBG-CV Public Service Needs Program.

Section 2. Eden staff is hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the Department of Commerce, and the budget contained herein.

Section 3. The following revenues and resources are anticipated to be available to complete the project activities:

Community Development Block Grant Coronavirus (CDBG-CV) Project

Total Grant Award	<u>\$900,000</u>
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Section 4. The following amounts are appropriated for the project activities:

Community Development Block Grant Coronavirus (CDBG-CV) Project

Project Budget	<u>\$900,000</u>
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Section 5. The Grant Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the North Carolina Department of Commerce required by the grant agreement(s) and federal and state regulations.

Section 6. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the North Carolina Department of Commerce in an orderly and timely manner.

Section 7. The Grant Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Grant Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this council.

Section 9. Copies of this grant project ordinance shall be made available to the Grant Finance Officer for direction in carrying out this project.

Adopted this 17th day of August 2021.

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

CITY OF EDEN CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM
Financial Management Resolution

WHEREAS, the City of Eden has received Community Development Block Grant Coronavirus (CDBG-CV) funding in the amount of \$900,000; and

WHEREAS, the North Carolina Administrative Code regulations require that the City designate a Grant Finance Officer and a depository for CDBG-CV funds;

NOW, THEREFORE, the City of Eden hereby resolves the following:

- (1) Tammie McMichael, Eden Finance Director, will serve as Grant Finance Officer, and will be responsible for financial management of the program according to the requirements of the North Carolina Administrative Code and North Carolina General Statute requirements.
- (2) Home Trust Bank in Eden, NC, is hereby designated as the official depository for revenues budgeted for the CDBG-CV Program.

Adopted this 17th day of August 2021.

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

CITY OF EDEN CDBG CORONAVIRUS (CDBG-CV) PROGRAM
Assistance Policy

The following information is designed to serve as the basis for administrative policies, guidelines, and procedures necessary to establish an effective CDBG Coronavirus (CDBG-CV) Program for the City of Eden. As is the case with all new programs, certain alterations, amendments, and additions to these guidelines may be required as the program is implemented. Review of these guidelines is encouraged to maintain consistent administrative quality. The administrative personnel, consultant, and City staff members responsible for program administration should become completely familiar with the contents of the pages which follow.

I. CITIZEN INPUT

Before a successful CDBG program involving the use of grants can begin operation, many administrative and policy decisions must be made. These decisions should be made with the benefit of input from the residents of the City of Eden. The City conducted two public hearings to solicit citizen input prior to submitting its application for CDBG-CV funding to the North Carolina Department of Commerce, Rural Economic Development Division.

II. CDBG-CV PROGRAM ASSISTANCE AND APPLICATION PROCESS

The City wishes to provide assistance for low-to-moderate income households who have unpaid mortgage/rent and/or utility bills (electricity or natural gas) due to layoff, furlough, and/or loss of income due to the COVID-19 pandemic beginning April 1, 2020.

The City has recommended provision of CDBG-CV mortgage/rent and/or utility provider assistance to households based on income and need. The City will advertise program availability and solicit input from households who may qualify to submit applications to the City. Selected units will be further examined for income verification, other eligibility requirements, and duplication of benefits documentation to determine their final status for funding. The City reserves the right to advertise as many times as necessary in order to obtain enough qualified applicants while funding is available during program implementation.

Households may apply for assistance with mortgage or rent, and/or electricity or natural gas payments for up to six (6) months of unpaid bills. While there is no dollar limit associated with the total assistance paid to applicable providers for an individual household's unpaid bills, the time limit of six (6) months must not be exceeded. The City will assist applicants who have provided complete, qualified applications as long as funding is available. Applicants will be requested to provide lender/rental provider information, including mortgage statements and/or lease agreements, and/or utility provider information and documentation of unpaid bills to support eligibility for the program. If applicants submit incomplete applications, the City will request additional needed documentation, but if CDBG-CV funding is depleted while the incomplete application is still pending, the City will not be able to award assistance to households submitting incomplete applications.

Once an application is deemed qualified, the Program Administrator will submit invoices for payment to be approved by the Director of Planning and Community Development and Finance Director, with payment being made directly to the applicable provider.

II. INCOME ELIGIBILITY

Household income must be considered low to moderate (80% or less of the Rockingham County median income). Households must provide proof of income. The City will utilize the most recent HUD low-to-moderate income (LMI) guidelines for assessment of household income. The City will require written documentation of public benefits, payroll information, or submittal of 2020/2021 tax return information if available. The City will include adjusted (AGI) wage and benefit income for the head of household, spouse, and other non-transient (i.e., regular contributors to household expenses) household members 18 years of age and above. Business income for self-employed individuals will be verified through income tax records/included net profits as well as wages paid to household members. Other forms of income will include documentation of monthly benefits from the Social Security Administration or other social agency, or other documentation as deemed appropriate by the Program Administrator.

III. PROTECTED CLASS INFORMATION

The CDBG-CV Program requires that certain protected class information be reported for all individuals who are assisted by the program. Applications for assistance will include requests for the following information for household members: age, gender, race, and disability status. The following definitions apply:

- Elderly: An individual aged 62 or older.
- Race: Race that household member most closely identifies with, selecting from White, Black/African American, Asian, American Indian/Alaskan Native, Native Hawaiian/Other Pacific Islander, American Indian/Alaskan Native & White, Asian & White, Black/African American & White, American Indian/Alaskan Native & Black/African American, or Other Multi-Racial.
- Disabled: A disabled individual is any person who has a physical or mental disability that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment, in accordance with 24CFR92.2.
- Household Member: Any individual who is an occupant of the unit to be rehabilitated shall be considered a "household member" (enumerated for household size and subject to income verification).
- Occupant: An occupant is defined as any immediate family member (mother, father, spouse, son, daughter of the head of household, regardless of time of occupancy); or a non-immediate family member who has resided in the dwelling unit at least six months of the twelve-month period prior to the homeowner's application date.

IV. DUPLICATION OF BENEFITS

The City has adopted a Duplication of Benefits Policy/Plan under this CDBG-CV Program to ensure that no duplicate benefits are paid by local, state, or federal agencies on behalf of its citizens. Funds may not be used for costs where other assistance was already provided for the same purpose if no unmet need remains. The City will require that applicants provide full disclosure of any benefits they may have already received from other organizations for a similar purpose. Households must provide documentation from the mortgage lender that the owner did not qualify for mortgage forbearance or suspension of mortgage payment, or from the rental property owner that no evictions were pending prior to April 1, 2020.

Any applicant who receives duplicated benefits will be required to have the amount of duplication deducted from the CDBG-CV payment, or to pay the amount of duplicated assistance back to the City of Eden.

V. OTHER PROGRAM REQUIREMENTS/ELIGIBILITY

Household members applying for CDBG-CV assistance must be residents of the City of Eden.

Payment assistance will be made directly to the mortgage or rent provider, or to the electricity/natural gas provider. No payments will be made directly to the applicant.

Households will be required to furnish the City of Eden or its agents any necessary information requested in order to determine program eligibility, such as mortgage lender information/ mortgage statements, lease agreements, utility provider bills, etc.

if any information provided in this application is found to be false or misleading, either the application will be rejected, or if the application has been accepted and information is later found to be false or misleading, repayment of any assistance under this program will be required by the applicant to the City of Eden.

Adopted this 17th day of August 2021.

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

CITY OF EDEN CDBG CORONAVIRUS (CDBG-CV) PROGRAM

Citizen Participation Plan

Rural Economic Development Division
North Carolina Department of Commerce

Grantee: City of Eden

Recipient's Address: Eden City Office, 308 E. Stadium Drive, Eden, NC 27288

Contact Person: Kelly Stultz, Director of Planning & Community Development

Contact Email: kstultz@edennc.us

Contact Phone #: (336) 623-2110

TDD#: Relay North Carolina TT#1-800-735-2962

The primary goal of the Citizen Participation Plan is to provide citizens, especially low and moderate income citizens of the community where CDBG-funded activities will take place, an opportunity to participate in an advisory role in the planning, implementation, and assessment of the programs and projects.

The Citizen Participation Plan is required by Section 104(a)(2) of the Housing and Community Development Act and by regulations at 24 CFR 570.486(a)(6).

The plan is vitally important to the success of CDBG-funded activities undertaken by local governments. Compliance with the plan reduces the number of legal challenges and citizen complaints against the local government recipient.

1. INTRODUCTION

The City of Eden has designed this community-wide Citizen Participation Plan to provide for and encourage citizen participation in the Community Development Block Grant (CDBG) program. This Plan is an essential element of the City's present and future community development process and has been developed to comply with the regulations and requirements of the CDBG program as administered by the North Carolina Department of Commerce – Rural Economic Development Division (REDD) and the Department of Housing and Urban Development (DHUD).

The primary goal of this Citizen Participation Plan is to provide all citizens of the community with adequate opportunity to participate in an advisory role in the planning, implementation, and assessment of the City's CDBG program(s). The Plan sets forth policies and procedures for citizen participation, which are designed to maximize the opportunity for citizen participation in the community development process. Special emphasis has been placed on encouraging participation by persons of low and moderate incomes, residents of blighted neighborhoods, and residents of areas where community development funds are utilized.

Citizens are encouraged to participate in all phases of the CDBG program(s) and will be provided full access to program information. However, final responsibility and authority for the development and implementation of CDBG program(s) will lie with the City.

2. SCOPE OF PARTICIPATION

The City will make reasonable efforts to provide for citizen participation during the community development process and throughout the planning, implementation, and assessment of all CDBG program(s) undertaken by the City. Local officials will make every effort to involve citizens in all phases of the development, implementation, and assessment of community development programs including, but not limited to, the following phases:

- a. identification and assessment of housing and community development needs; determination of CDBG project(s) and documentation; and the development of CDBG application(s);
- b. changes and/or amendments to approved CDBG projects; and
- c. assessment of CDBG program performance.

All phases of the community development process will be conducted by local officials in an open manner. Citizens of the City are encouraged to participate at all levels and will be given access to program information during each phase of any CDBG program as outlined herein.

3. CITIZEN PARTICIPATION CONTACT PERSON

Kelly Stultz, Director of Planning & Community Development, has been designated Citizen Participation Coordinator by the Eden City Council and will serve as the contact person for all matters concerning citizen participation activities. This person shall be responsible for overseeing citizen participation throughout the community development process and the implementation of all citizen participation activities and functions, except those which may be specifically delegated to other parties by this Plan.

The specific duties and responsibilities of the Citizen Participation Coordinator shall include, but not necessarily be limited to: disseminating information concerning proposed projects and the status of current project activities; coordinating various groups which may be participating in the community development process; receiving written comments; serving as a vehicle by which ideas, comments, and proposals from local residents may be transmitted to local officials and/or program staff; and monitoring the citizen participation process and proposing such amendments to the Citizen Participation Plan as may be necessary.

The Citizen Participation Coordinator may be contacted at the Eden City Hall, 308 E. Stadium Drive, Eden, NC, at (336) 623-2110 during regular business hours. All questions concerning citizen participation in the community development process should be addressed to the Citizen Participation Coordinator.

4. TECHNICAL ASSISTANCE

Eden staff shall provide technical assistance to individual citizens and citizen groups, especially those groups representative of persons of low or moderate income, as may be required to adequately provide for citizen participation in the planning, implementation, and assessment of CDBG program(s).

Such technical assistance is intended to increase citizen participation in the community development decision making process and to ensure that such participation is meaningful. Technical assistance shall also be utilized to foster public understanding of CDBG program requirements.

Technical assistance shall be provided on request and may include, but not necessarily be limited to: interpreting the CDBG program and its rules, regulations, procedures and/or requirements; providing information and/or materials concerning the CDBG program; and assisting low and moderate income citizens and residents of blighted neighborhoods to develop statements of views, identify their needs, and develop activities and proposals for projects which, when implemented, will resolve those needs.

Technical assistance may be obtained by contacting the Citizen Participation Coordinator.

5. PUBLIC HEARINGS

Citizen participation in the community development process will be conducted on a community-wide basis and will actively involve the views and proposals of all citizens, especially low and moderate income persons and residents of areas where CDBG activities are proposed or ongoing.

Public hearings will be held during all phases of the community development process, as outlined herein, to allow citizens to voice opinions and offer proposals concerning the development and performance of CDBG programs. Local officials will respond to questions and proposals from citizens at each public hearing. Any questions that citizens may have concerning a program will be answered and their comments, suggestions, and/or proposals will be received. Citizens may also express comments and views concerning the community development process or any specific CDBG project to the governing body at any regularly scheduled meeting.

5.1 Public Hearing Times and Locations

NOTE: Due to social distancing guidelines during the COVID-19 pandemic, in-person attendance at public hearings and City Council meetings may be limited. Citizens are urged to follow the guidelines as posted on the City's website as well as in published notices for attendance instructions – whether in-person or through virtual media.

All public hearings will be held at times and locations which will be accessible to all citizens, especially persons of low and moderate incomes, and residents of blighted neighborhoods and CDBG project areas.

Public hearings will be scheduled for convenient times as determined by the City. Public hearings may be held at any site which, in the opinion of the City, provides adequate access for citizen participation.

Hearings will normally be held at Eden City Hall, 308 E. Stadium Drive, Eden, NC. This site is centrally located and generally accessible to all citizens. This building is also accessible to persons with disabilities. Hearings may, however, at the option of the City, be held at an alternate location to be specified in the public hearing notice(s).

5.2 ***Application Public Hearings***

One public hearing shall be held during any CDBG program fiscal year prior to the submission of an application to the REDD for CDBG assistance. The primary purposes of the public hearing shall be to assess community needs and problems in an effort to determine the most critical needs to be addressed by the CDBG program and to present for public comment and review the program activities which have been selected by the City to resolve the identified needs.

An application public hearing will be held during the initial stage of program development to discuss items regarding community development and housing needs, the CDBG program, and the application process. The objective of citizen participation at this stage is to provide meaningful, community-wide citizen input into the decision-making process during the assessment of community needs and the consideration of priorities and options associated with the development and submission of a CDBG application. Local officials will also entertain proposals and comments from citizens concerning community development activities at this hearing.

This hearing will normally serve to discuss and review the information appropriate for all applications submitted by the City during any fiscal year. Additional changes in community development or housing needs in the community as determined by local officials can be addressed by a community meeting where citizens can share their comments prior to the submission of other CDBG applications late in the fiscal year.

Citizens will be provided with information concerning the CDBG program at this public hearing. Such information shall include, but not necessarily be limited to: the goals and objectives of the CDBG program; the total amount of CDBG funds available for the fiscal year and for the funding round; the role of citizens in program planning, implementation, and assessment; the range of activities which may be undertaken; the process to be followed in developing a CDBG application; a statement that 100 percent of the CDBG funds will be used to benefit low-to-moderate income people; the schedule of meetings and hearings; location where the application can be reviewed; activities previously funded in the City through the CDBG program; an identification of projects which could result in the relocation of area residences or businesses and the actions that would be undertaken if such relocation were necessary; and provision of contact information such as address, telephone number, and dates for submitting complaints or grievances by citizens. Furthermore, the effectiveness of the Citizen Participation Plan in allowing citizen participation in the community development process and potential changes and/or amendments to the Plan shall also be discussed at this meeting.

The City may, at the option of local officials, review multiple CDBG project applications at one hearing when more than one application is to be submitted during the same fiscal year. Each such hearing shall be held prior to, and in preparation for, the application's approval by the City.

A second objective of citizen participation during this stage is to inform citizens of the proposed project activities to be included in a CDBG application(s) and to solicit comments from citizens concerning these activities.

Citizens attending this hearing will be provided with information concerning the CDBG project(s) proposed including, but not necessarily limited to: the project application(s) to be submitted and the applicable CDBG fund; specific project activities to be included; the location of the project activities; the approximate cost estimate for the

proposed activities; the estimate of local match required; the impact of the project on low and moderate income persons; and the approximate application submittal date.

5.3 ***Amendment Public Hearings***

The City will assure the opportunity for citizen participation during the implementation of any CDBG program(s) when changes to the project are under consideration by the City. Citizen participation shall be obtained and considered in any amendments to a CDBG program which involves changes in dollar amount spent on any activity, changes in program beneficiaries, changes in the location of approved activities, addition to or deletion of project activities, and major budget shifts between approved activities.

To ensure adequate opportunity for citizen participation during CDBG programs, the City shall hold a public hearing on all formal amendments which require the REDD approval. For “local” amendments and changes for which the REDD approval is not required, input from citizens concerning changes or amendments will be received at regularly scheduled City meetings where such changes or amendments are considered.

5.4 ***Assessment of Performance Public Hearings***

Citizens of the City will be provided with the opportunity to comment on the performance of local officials, the City staff, consultants, engineers, and contractors, and the actual use of CDBG funds during the implementation of a CDBG program. Citizens will also be requested to assess the performance of the City in resolving identified community development and housing needs and in achieving its community development goals and objectives. Ongoing community assessment of the effectiveness of the community development process is considered essential to the success of the CDBG program.

At the conclusion of each CDBG project, a public hearing will be held to review program activities and to assess program performance. This hearing shall be held prior to the submission of the Performance Assessment Report and any other required closeout documents to the REDD for a CDBG project. This hearing will be used to ensure community-wide participation in the evaluation of the CDBG program.

5.5 ***Additional Hearings***

Other public hearings may be held as deemed necessary by the City in order to inform citizens of community development project(s) and activities, and to solicit citizen opinions and comments. All additional hearings shall comply with the requirements set forth in this Plan.

5.6 ***Limited English Proficiency Residents***

The City has followed the guidance provided in the Language Access Plan to determine the need to undertake reasonable actions to facilitate the participation of persons with Limited English Proficiency. Local officials will undertake all reasonable actions necessary to allow such persons to participate in the community development process. Such actions may include the provision of an interpreter and/or the provision of materials in the appropriate language or format for persons with Limited English Proficiency.

5.7 *Public Hearing Notice*

Notice of public hearings must be published in a local newspaper of general circulation in a non-legal section of the paper at least ten (10) days prior to the hearing date but no more than 25 days prior to the meeting date. Each notice of a hearing shall include the time, date, place, and topics and procedures to be discussed.

5.8 *Accessibility to Low and Moderate Income Persons*

The public hearing procedures outlined herein are designed to promote participation by low and moderate income citizens as well as residents of blighted neighborhoods and CDBG project areas in any public hearing(s). **Local officials may take additional steps to further promote participation by such groups or to target program information to these persons should officials feel that such persons may otherwise be excluded or should additional action be deemed necessary. Activities to promote additional participation may include: posting of notices in blighted neighborhoods and in places frequented by low and moderate income persons, and holding public hearings in low and moderate income neighborhoods or areas of existing or proposed CDBG project activities.**

5.9 *Accessibility to Persons with Disabilities*

The locations of all public hearings as described herein shall be made accessible to persons with disabilities. The City shall provide a sign language interpreter whenever the Citizen Participation Coordinator is notified in advance that one or more deaf persons will be in attendance. The City shall provide a qualified reader whenever the Citizen Participation Coordinator is notified in advance that one or more visually impaired persons will be in attendance. Additionally, the City shall provide reasonable accommodations whenever the Citizen Participation Coordinator is notified in advance that one or more persons with mobility or developmental disabilities will be in attendance.

6. PROGRAM INFORMATION

Citizens will be provided full access to CDBG program information during all phases of a CDBG project. Local officials of the City shall make reasonable effort to assure that CDBG program information is available to all citizens, especially those of low and moderate incomes and those residing in blighted or Limited English Proficiency neighborhoods and/or CDBG project areas.

To facilitate citizen access to CDBG program information, the Citizen Participation Coordinator will keep all documents related to a CDBG program on file in the Eden City Hall, 308 E. Stadium Drive, Eden, NC. Information from the project files shall be made available for examination and duplication, on request, during regular business hours. CDBG program information and materials concerning specific CDBG projects will be available and distributed to the public at the regularly scheduled public hearings as outlined in this Plan. Furthermore, information concerning any CDBG project will be available at regularly scheduled Council meetings where the program is discussed.

Materials to be made available shall include, but are not necessarily limited to: the Citizen Participation Plan; records of public hearing; mailings and promotional materials; prior CDBG program applications; letters of approval; grant agreements; the environmental review record; financial and procurement records; project design and

construction specifications; labor standards materials; performance and evaluation reports; other reports required by the REDD and/or the DHUD; proposed and approved CDBG program application(s) for the current year or project; written comments or complaints received concerning the community development program and written responses from the City; and copies of the applicable Federal and State rules, regulations, policies, requirements and procedures governing the CDBG program.

In no case shall the City disclose any information concerning the financial status of any program participant(s) which may be required to document program eligibility or benefit. Furthermore, the City shall not disclose any information which may, in the opinion of the Mayor, be deemed of a confidential nature.

7. PROCEDURES FOR COMMENTS, OBJECTIONS AND COMPLAINTS

The public hearings scheduled, as described in this Citizen Participation Plan, are designed to facilitate public participation in all phases of the community development process. Citizens are encouraged to submit their views and proposals on all aspects of a community development program at the public hearings. However, to ensure that citizens are given the opportunity to assess and comment on all aspects of the community development program on a continuous basis, citizens may, at any time, submit written comments or complaints to the City.

Any citizen or citizens' group desiring to comment or object to any phase of the planning, development or approval of the application for CDBG funds, or to the implementation of any CDBG program, should submit such comments or objections in writing to the Mayor. Should, after a reasonable period, a party believe that his/her comment or complaint has not been properly addressed or considered by the Mayor, then the aggrieved party may appeal his/her case to REDD.

Local officials shall make every effort to provide written responses to citizen proposals or complaints within fifteen (15) working days of the receipt of such comments or complaints where practicable. Should the City be unable to sufficiently resolve an objection or complaint, it may be forwarded by the aggrieved party to the REDD.

Citizens may, at any time, contact the REDD and/or the DHUD directly to register comments, objections, or complaints concerning the City's CDBG application(s) and/or program(s). Citizens are encouraged, however, to attempt to resolve any complaints at the local level as outlined above prior to contacting the REDD or the DHUD.

All comments or complaints submitted to the REDD or the DHUD shall be addressed in writing to:

NC Department of Commerce
Rural Economic Development Division
4346 Mail Service Center
Raleigh, North Carolina 27699-4346

Or:

U.S. Department of Housing and Urban Development
Community Planning and Development Division
Greensboro Field Office
1500 Pinecroft Road
Greensboro, NC 27407

Records of all comments, objections and/or complaints by citizens concerning the City's CDBG program and subsequent action taken in response to those comments shall be maintained on file at the City and shall be made available for public inspection upon request.

8. AMENDMENTS

The City may, from time to time, modify the provisions outlined herein through amendment to this Citizen Participation Plan. It shall be the policy of the City to periodically review and discuss the effectiveness of this Citizen Participation Plan in allowing citizen participation in the community development process and in helping to meet the community development needs and goals identified by the citizens of the City. To this end, the effectiveness of the Plan will be discussed at public hearings held in conjunction with the community development program as discussed herein and potential amendments to the Plan will be reviewed at this time.

Amendments to the Plan will be made as necessary. All amendments shall be approved by resolution of the City and shall be incorporated into this Plan.

9. AUTHORITY

No portion of this Citizen Participation Plan shall be construed to restrict the responsibility and authority of the elected officials of the City in the development, implementation, and execution of any Community Development Block Grant program.

Adopted this 17th day of August 2021.

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

CITY OF EDEN CDBG CORONAVIRUS (CDBG-CV) PROGRAM
Residential Anti-Displacement and Relocation Assistance Plan

This Residential Anti-displacement and Relocation Assistance Plan is prepared by the City of Eden, North Carolina, in accordance with the Housing and Community Development Act of 1974, as amended (the “Act”); and HUD regulations at 24 CFR 42.325.

A. Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, the City of Eden will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- Coordinate code enforcement with rehabilitation and housing assistance programs.
- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are “lower-income dwelling units” (as defined in 24 CFR 42.305).
- Target only those properties deemed essential to the need or success of the project.
- Attempt to locate comparable replacement housing in or near the neighborhood where demolition activities occur to further minimize neighborhood disruption caused by the clearance activities.
- Avoid demolition of occupied severely deteriorated residential structures where possible through substantial rehabilitation as opposed to clearance.
- Rehabilitate vacant, occupiable residential structures as affordable housing for displaced tenants to minimize neighborhood disruption caused by clearance activities.

B. Relocation Assistance to Displaced Persons

The City will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under this Program, move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

C. One-for-One Replacement of Lower-Income Dwelling Units

The City will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under this Program in accordance with 24 CFR 42.375.

Before entering into a contract committing Eden to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the City will make public by publishing notice in Greensboro News Record and/or Rockingham Now newspaper, and submit to the North Carolina Rural Economic Development Division (REDD) the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. *NOTE: See D, below.*
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the City will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

D. Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), the City may submit a request to the State (REDD) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

E. Contacts

The Planning & Community Development Office (336-623-2110) is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period. The Planning & Community Development Office (336-623-2110) is responsible for ensuring that relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use are provided.

Adopted this 17th day of August 2021.

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

CITY OF EDEN CDBG CORONAVIRUS (CDBG-CV) PROGRAM
Local Jobs Initiative (Section 3) Plan
Local Economic Benefit for Low- and Very Low-Income Persons
August 17, 2021 – August 16, 2024

I. APPLICATION AND COVERAGE OF POLICY

The City of Eden is committed to the policy that, to the greatest extent possible, opportunities for training and employment should be given to lower income residents of the community development project area and contracts for work in connection with federally assisted community development projects should be awarded to business concerns located or owned in substantial part by persons residing in the Section 3 covered area, as required by Section 3 of the Housing and Urban Development Act of 1968. The City has developed and hereby adopts the following Plan.

The City will comply with all applicable provisions of Section 3 of the Housing and Urban Development Act of 1968, as amended (24 CFR Part 135), all regulations issued pursuant thereto by the Secretary of Housing and Urban Development and all applicable rules and orders of the Department issued thereunder.

This Section 3 covered project area for the purposes of this grant program shall include the City and portions of the immediately adjacent area.

The City will be responsible for implementation and administration of the Section 3 plan. In order to implement the City's policy of encouraging local residents and businesses to participate in undertaking community development activities, the City will follow this Section 3 plan which describes the steps to be taken to provide increased opportunities for local residents and businesses.

This Section 3 Plan shall apply to services needed in connection with the grant, including but not limited to, businesses in the fields of planning, consulting, design, building construction/renovation, maintenance and repair, etc.

When in need of a service, the City will identify suppliers, contractors or subcontractors located in the Section 3 area. Resources for this identification shall include the Minority Business Directory published through the State Department of Commerce, local directories, and Small Business Administration local offices. Word-of-mouth recommendation shall also be used as a source.

The City will include the Section 3 clause and this plan in all contracts executed under this Community Development Block Grant (CDBG) Program. Where necessary, listings from any agency noted above shall be included as well as sources of subcontractors and suppliers. The Section 3 Plan shall be mentioned in the pre-bid meetings and preconstruction meetings.

The prime contractor selected for major public works facility or public construction work will be required to submit a Section 3 Plan which will outline his/her work needs in connection with the project. Should a need exist to hire any additional personnel, the Rockingham County Employment Security Commission shall be notified and referred to the contractor.

Each contract for housing rehabilitation under the program, as applicable, for jobs having contracts in excess of \$100,000 shall be required to submit a Section 3 Plan. This Plan will be maintained on file in the grant office and shall be updated from time to time or as the grant staff may deem necessary.

Early in the project, prior to any contracting, major purchases or hiring, the City will develop a listing of jobs, supplies, and contracts likely to be utilized during the project. The City will then advertise the pertinent information regarding the project including all Section 3 required information. The City will send the bid information to the Rural Economic Development Division (REDD) in order for REDD to distribute information through its list-serve notification.

II. AFFIRMATIVE ACTIONS FOR RESIDENT AND BUSINESS PARTICIPATION

The City will take the following steps to assure that low-income residents and businesses within the community development project area and within the City are used whenever possible:

- List jobs through the NC Historically Underutilized Business (HUB) Office;
- Refer potential employees and businesses to various state and local agencies for development and training assistance;
- Place qualified residents and businesses on solicitation lists;
- Assure that residents and businesses are solicited whenever they are potential sources of contracts, services, or supplies.

The City will place a display advertisement in the local newspaper containing the following information:

- i. A brief description of the project.
- ii. A listing of jobs, contracts, and supplies likely to be utilized in carrying out the project.
- iii. An acknowledgement that under Section 3 of Housing and Community Development Act, local residents and businesses will be utilized for jobs, contract and supplies in carrying out the project to the greatest extent feasible.
- iv. A location where individuals interested in jobs or contracts can register for consideration.
- v. A statement that all jobs will be listed and hiring will be done through the local office of the North Carolina Employment Security Commission; a statement that all contracts will be listed with the North Carolina Division of Purchase and Contracts; and a statement that potential employees and businesses may seek development and training assistance through various state and local agencies, for which the City will maintain a list for individuals and business concerns inquiring information.

Low-income residents and businesses will be informed and educated regarding employment and procurement opportunities in the following ways:

- i. Advertisement in the local newspaper.
- ii. Posting of Section 3 Plan at the Eden City Office.
- iii. City Council meetings when project activities and schedules are discussed.
- iv. Notification to other agencies that provide services to low-income people.

The City will, to the greatest extent feasible, utilize lower income area residents as trainees and employees:

1. Encourage rehabilitation contractors to hire local area residents;
2. Encourage public works contractors to hire local area residents.

The City will, to the greatest extent feasible, utilize businesses located in or owned in substantial part by persons residing in the area, and will:

1. Contract with local contractors to perform demolition activities and housing rehabilitation activities.
2. Encourage public improvement contractors to hire local residents for site clearance work, hauling materials, and performing other site improvements.
3. Encourage all contractors to purchase supplies and materials from the local hardware and supply stores.

III. RECORDS AND REPORTS

The City will maintain such records and accounts and furnish such information and reports as are required under the Section 3 regulations and will permit authorized representatives of REDD and federal agencies access to books, records, and premises for purposes of investigation in connection with a grievance or to ascertain compliance with this Section 3 Plan.

The City shall report annually the Section 3 numbers using the form HUD 60002 to REDD at the end of the calendar year as part of the Annual Performance Report (APR).

IV. MONITORING COMPLIANCE

The City may require each applicable contractor to provide a copy of the Section 3 Plan and will monitor compliance during the performance of the contract. Copies of all advertisements, notices, and published information will be kept to document the implementation of the plan.

V. COMPLAINTS CONTACT

In case of any complaint received from the general public with regard to Section 3 compliance, the main contact is:

Kelly Stultz, Director of Planning & Community Development
City of Eden
308 E. Stadium Drive
Eden, NC 27288
Telephone: (336) 623-2110, Email: kstultz@edennc.us

Adopted this 17th day of August 2021.

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

CITY OF EDEN CDBG CORONAVIRUS (CDBG-CV) PROGRAM
Policy Concerning Code of Conduct for Officers, Employees or Agents

BE IT RESOLVED BY THE EDEN CITY COUNCIL:

Section 1: No employee, officer, or agent of the City of Eden shall knowingly solicit or accept any form of gratuity from any person, firm, or organization whereby such gratuity shall in any way persuade or affect the outcome of the award of any contract of which any part is supported by federal funds.

Section 2: No employee, officer, or agent of the City of Eden shall participate in the selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when the employee, officer or agent, member of his/her immediate family, his/her partner, or an organization which employs, or is about to employ, any of the above individuals, has a financial or other interest in the firm selected for award.

Section 3: No employee, officer, or agent of the City of Eden shall solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements.

Section 4: If any employee, officer, or agent shall knowingly violate any of the provisions of this policy, such employee, officer, or agent will be subject to such disciplinary measures as may be deemed appropriate by the Eden City Council or City Manager including, but not limited to, suspension without pay, demotion, or dismissal.

Section 5: If any contractor or his agent violates any provision of this policy, such violation will constitute grounds for action deemed appropriate by the City Manager including, but not limited to, withdrawal from consideration of any proposal or bid submitted by such contractor, withdrawal of award, or rescission of contract.

This policy shall become effective from and after its adoption by the Eden City Council in an open meeting.

If any part of this policy shall be found to be in conflict with any federal or State of North Carolina law, then that portion of the policy can be amended to comply with the federal or state law without affecting the validity of the other portions.

Adopted this 17th day of August 2021.

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

CITY OF EDEN CDBG CORONAVIRUS (CDBG-CV) PROGRAM
Fair Housing Policy

WHEREAS, the City of Eden desires that the citizens of the City be afforded the opportunity to attain the national objective of a decent, safe and sound living environment; and

WHEREAS, the City of Eden deplores discrimination in the provision of housing on the basis of race, religion, color, creed, sex, national origin, young children in a family, or handicapping conditions; and

WHEREAS, the City of Eden desires that every citizen be afforded the opportunity to select a home of his or her choice; and

WHEREAS, the City of Eden wishes to ensure that programs and activities undertaken by the City relating to housing and urban development be administered in a manner to affirmatively further fair housing as required by Title VIII of the Civil Rights Act of 1968, as amended; 24 CFR 107, Nondiscrimination and Equal Opportunity in Housing under Executive Order 11063; and the North Carolina State Fair Housing Act, NCGS, Chapter 41A;

NOW, THEREFORE, to accomplish the above, the City adopts the following procedures for receiving and resolving housing discrimination complaints:

1. Any person or persons wishing to file a complaint of housing discrimination in Eden may do so by informing the Director of Planning & Community Development at (336) 623-2110, or NC Human Relations Commission (919) 733-7996, TDD# (919) 733-7996 (or Relay North Carolina TT# 1-800-735-2962) of the facts and circumstances of the alleged discriminatory act or practice.
2. Upon receiving a housing discrimination complaint, the Director of Planning & Community Development shall inform the North Carolina Human Relations Commission about the complaint within ten (10) calendar days. The City shall then assist the Commission and the complainant in filing an official written housing discrimination complaint with the Commission, pursuant to the State Fair Housing Act and Title VIII.
3. The City of Eden shall offer assistance to the Commission in the investigation and conciliation of all housing discrimination complaints which are based upon events occurring in the City.
4. The Director of Planning and Community Development shall publicize within the City that she is the local official to contact with housing discrimination complaints.

Adopted this 17th day of August 2021.

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

CITY OF EDEN CDBG CORONAVIRUS (CDBG-CV) PROGRAM

Excessive Force Policy

August 17, 2021 – August 16, 2024

The City of Eden hereby adopts an Excessive Force Policy that is in accordance with the applicable State of North Carolina and Federal Regulations, i.e., Section 519 of Public Law 101-144, (1990 HUD Appropriations Act) requiring units of government receiving CDBG funds to adopt and enforce *Excessive Force Provision*. The City, as the recipient of Federal and/or State CDBG-NR Grant Funds, acknowledges its responsibility to and will adhere to the aforesaid NC State and Federal Excessive Force Regulations.

The use of excessive force is any degree of physical action beyond mere restraint. The use of physical force shall be restricted to the amount of force which is reasonable and apparently necessary to effect a lawful arrest or in defense of self or others.

Striking or any form of restraint in which injury occurs shall be considered use of force. Additionally, the pointing of any firearm directly at any person shall be deemed use of force.

Mere restraint is defined as physically overpowering without striking or using weapons. Scuffling, holding, tackling, etc., may or may not be mere restraint, depending upon the circumstances. Whenever doubt exists as to whether the level of restraint used constitutes use of force, the immediate supervisor will be notified of the incident and will make a determination.

More particularly, the City adopts and will enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any and all individuals engaged in non-violent civil rights demonstrations, and is adopting and will enforce a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within the City of Eden.

Adopted this 17th day of August 2021.

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

CITY OF EDEN CDBG CORONAVIRUS (CDBG-CV) PROGRAM
Procurement Standards

Policy

The City of Eden will comply with the terms and conditions of Federal and/or State funding that is awarded and accepted, including but not limited to, the terms and conditions of Grant Contract, Title 2 CFR Part 200, and HUD implementing regulations contained in 24 CFR Section 570.489(g) which are incorporated by reference and included herein to the extent of its applicability. The City, as the recipient of Federal and/or State CDBG-CV funds, acknowledges its responsibility to and will adhere to the aforesaid North Carolina State and Federal Procurement Policies.

The City of Eden will, to the extent applicable, follow methods of procurement, procure by contracting with small, minority firms, women's business enterprises, and labor surplus area firms. Additionally, the City will demonstrate contract cost and price awareness, and adhere to awarding agency review provisions (Title 2 CFR Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts under Federal Awards).

Plan

All procurement of goods and services by the City with CDBG-CV grant funds shall be accomplished in accordance with the regulations of **Procurement Standards**. Where applicable, Recipient shall follow the procurement standards established in the "Uniform Administrative Requirements, Cost Principles, And Audit Requirements for Federal Awards" (2 CFR Part 200) and HUD implementing regulations contained in 24 CFR Section 570.489(g), which explicitly prohibit cost plus a percentage of cost and percentage of construction cost methods of contracting. In addition, all purchase orders and contracts shall include any clauses required by Federal Statutes, Executive Orders, and implementing regulations including the Section 3 clause, per 24 CFR 570.489 (g) and 24 CFR 135.38, or the North Carolina General Statutes applying to procurement in general by the North Carolina municipalities and counties.

When the Federal and State regulations are different, the more restrictive regulations shall apply to the procurement in question. Additionally, the City will adhere to the following guidelines during procurement of goods and services with Federal funds:

- In all cases where goods or services are procured on the basis of one bid or proposal received, the City will follow established principles included in OMB Circular A 87 to verify the reasonable cost of the procurement and shall contact the State agency supervising the grant program before making any contract award on the basis of non-competitive negotiation.
- Underutilized businesses, including women-owned and minority-owned enterprises, shall be included on bidders' or professional services' lists maintained by the City, and such firm(s) shall be solicited for all competitive negotiations, small purchases, and informal and formal bids when such firms are potential competitive sources for goods and services.

- The City shall develop a written scope of work for each service to be awarded on the basis of *competitive negotiation*, which shall include descriptions of tasks to be completed, project timetables, and outline of fee proposal requirements. The statement of work shall also include a written selection procedure. All *competitive negotiations* shall be awarded strictly on the basis of written selection procedures, and cost shall not be the sole nor more important factor in selection of services through the use of *competitive negotiations*.
- Prior to any contract award, the City shall verify the contractor's eligibility to participate in a federally-assisted program.
- No consultant or bidder shall assist in the evaluation of proposals or bid packages for contracts in which that consultant or bidder has an indirect or direct interest. The City shall adhere to all applicable Federal and State conflict of interest regulations in making contract awards.
- The City shall request references, or check references, of contractors or firms who are awarded contracts with Federal grant funds and will request a written warranty for all goods and services provided through small purchase requests.
- The City shall not award any contract for federally-assisted projects on a contingency or cost plus percentage of cost basis.

Adopted this 17th day of August 2021.

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

CITY OF EDEN CDBG CORONAVIRUS (CDBG-CV) PROGRAM
Equal Opportunity Plan

A. Equal Housing Opportunity Plan

Civil Rights Act of 1964

The Civil Rights Act of 1964 prohibits all racial discrimination in the sale or rental of property.

The Fair Housing Act

The Fair Housing Act declares a national policy of fair housing throughout the United States, making illegal any discrimination in the sale, lease, or rental of housing, or making housing otherwise unavailable, because of race, color, religion, sex, handicap, familial status, or national origin.

Executive Order 12892, Equal Opportunity in Housing

Executive Order 12892, as amended (Leadership and Coordination of Fair Housing in Federal Programs: Affirmatively Furthering Fair Housing), provides that programs and activities relating to housing and urban development (including any Federal agency having regulatory or supervisory authority over financial institutions) shall be administered in a manner to further affirmatively the purposes of the Act and shall cooperate with the Secretary of Housing and Urban Development, who shall be responsible for exercising leadership in furthering the design and delivery of Federal programs and activities.

The City of Eden shall eliminate housing discrimination and achieve diverse, inclusive communities by leading the City in the enforcement, administration, and public understanding of federal fair housing policies and laws.

The City shall include the Equal Housing Opportunity logo and/or the phrase affirming Equal Opportunity in Housing on all the CDBG-CV documents intended to be shared with the public.

The City shall post in public buildings and the CDBG-CV project area the Equal Housing Opportunity posters and/or additional information the local government has prepared to inform the community with the Equal Housing Opportunity policies and laws.

B. Equal Employment Opportunity Plan

The City of Eden maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are *bona fide* occupation qualifications for employment.

In furtherance of this policy, the City prohibits any retaliatory action of any kind taken by any employee of the locality against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding, or investigation of employment discrimination.

The City shall strive for greater utilization of all persons by identifying previously underutilized groups in the workforce, such as minorities, women, and the handicapped, and making special efforts toward their recruitment, selection, development, and upward mobility and any other term, condition, or privilege of employment.

Responsibility for implementing equal opportunities and affirmative action measures is hereby assigned to the Director of Planning & Community Development to assist in the implementation of this policy statement.

The City is committed to this policy and is aware that with its implementation, the City will receive positive benefits through the greater utilization and development of all its human resources.

The City shall include the Equal Employment Opportunity logo and/or the phrase affirming Equal Employment Opportunity on all the CDBG-CV documents intended to be shared with the staff and the public.

The City shall obtain commitment from contractors that they will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are *bona fide* occupation qualifications for employment. Contractors will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are *bona fide* occupation qualifications for employment. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The City shall obtain commitment from Contractors that will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are *bona fide* occupation qualifications for employment.

Adopted this 17th day of August 2021.

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

**Language Access Plan:
Providing Meaningful Communication with Persons with Limited English Proficiency**

City of Eden, North Carolina
Effective August 17, 2021 to August 16, 2024

The purpose of this Policy and Plan is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with limited English proficiency (LEP). Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the ground of race, color, or national origin by any entity receiving federal financial assistance. Administrative methods or procedures, which have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations, are prohibited.

POLICY:

In order to avoid discrimination on the grounds of national origin, all programs or activities administered by the **City of Eden** will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in benefits and services for which such persons qualify. This Policy defines the responsibilities the agency has to ensure LEP individuals can communicate effectively.

DEFINITIONS:

Limited English Proficient (LEP) individual – Any prospective, potential, or actual recipient of benefits or services from the agency who cannot speak, read, write, or understand the English language at a level that permits them to interact effectively with health care providers and social service agencies.

Vital Documents – These forms include, but are not limited to, applications, consent forms, all compliance plans, bid documents, fair housing information, citizen participation plans, letters containing important information regarding participation in a program, notices pertaining to the reduction, denial, or termination of services or benefits, the right to appeal such actions, or that require a response from beneficiary notices advising LEP persons of the availability of free language assistance, and other outreach materials.

Title VI Compliance Officer: The person or persons responsible for administering compliance with the Title VI LEP policies.

Substantial number of LEP: 5% or 1,000 people, whichever is smaller, are potential applicants or recipients of the agency and speak a primary language other than English and have limited English proficiency.

PROCEDURES:

1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

The **City of Eden** will promptly identify the language and communication needs of the LEP person. Staff will use a language identification card (or “I speak cards,” <http://www.lep.gov/resources/ISpeakCards2004.pdf>) and LEP posters to determine the language. In addition, when records are kept of past interactions with individuals or family members, the language used to communicate with the LEP person will be included as part of the record.

2. OBTAINING A QUALIFIED INTEPRETER

List the current name, office telephone number, office address, and email address of the Title VI compliance officer:

Jon Mendenhall, City Manager
City of Eden
308 E. Stadium Drive
Eden, NC 27288
jmendenhall@edennc.us
(336) 623-2110

Check all methods that will be used:

Maintaining an accurate and current list showing the language, phone number and hours of availability of bilingual staff (*provide the list*):

Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret;

Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

Eden will utilize Fluent Language Solutions, Inc., for outside interpreter services.

Have/has agreed to provide qualified interpreter services. The agency's (or agencies') telephone number(s) is/are

Fluent Language Solutions, Inc.
(704) 532-7446.
Standard services are provided Monday – Friday from 8:00 am to 5:00 pm.

Other (*describe*):

All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and **after** the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the facility. Such an offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest should be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children and other residents will **not** be used to interpret, in order to ensure confidentiality of information and accurate communication.

3. PROVIDING WRITTEN TRANSLATIONS

- i. The **City of Eden** will set benchmarks for translation of vital documents into additional languages. (*please ensure to keep records of those documents that apply to your agency*)
- ii. When translation of vital documents is needed, the **City of Eden** will submit documents for translation into frequently-encountered languages.
- iii. Facilities will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.

4. PROVIDING NOTICE TO LEP PERSONS

The **City of Eden** will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. Example: The notification will include, in the primary language of the applicant/recipient, the following language: **IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE AGENCY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.**

All interpreters, translators, and other aids needed to comply with this policy shall be provided without cost to the person being served, and individuals and their families will be informed of the availability of such assistance free of charge.

At a minimum, notices and signs will be posted and provided in intake areas and other points of entry, including but not limited to the main lobbies, waiting rooms, etc.

Eden City Hall

Notification will also be provided through one or more of the following: outreach documents, telephone voice mail menus, local newspapers, radio and television stations, and/or community-based organizations:

Outreach documents; local newspaper (Greensboro News Record and/or Rockingham Now); webpage notice.

5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION

On an ongoing basis, the **City of Eden** will assess changes in demographics, types of services, or other needs that may require reevaluation of this policy and its procedures. In addition, The **City of Eden** will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, complaints filed by LEP persons, feedback from residents and community organizations, etc.

I. Compliance Procedures, Reporting and Monitoring

A. Reporting

The agency will complete an annual compliance report and send this report to NC Department of Commerce; Rural Economic Development (REDD) and/or other state agencies as necessary. (Format will be supplied by REDD)

B. Monitoring

The agency will complete a self-monitoring report on a quarterly basis, using a standardized reporting system proposed by the local government. These reports will be maintained and stored by the Title VI Compliance Officer and will be provided to the REDD upon request.

The agency will cooperate, when requested, with special review by the REDD.

II. Applicant/Recipient Complaints of Discriminatory Treatment

A. Complaints

The agency will provide assistance to LEP individuals who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee, and briefly describe the alleged violation of this policy. The form can be found at <http://www.nccommerce.com/rd/community-assistance/investment-assistance/forms-resources/compliance-plans-and-templates/limited-english-proficiency>.

The agency will maintain records of any complaints filed, the date of filing, actions taken, and resolution.

The agency will notify the appropriate section within REDD of complaints filed, the date of filing, actions taken, and resolution. This information will be provided within 30 days of resolution.

B. Resolution of Matter

If the matter cannot be resolved by informal means, the individual will be informed of his or her right to appeal further to REDD. This notice will be provided in the primary language of the individual with Limited English Proficiency.

The REDD Compliance Office will conduct an investigation of the allegations of the complaint. The investigation will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.

The investigation will not exceed 30 days, absent a 15-day extension for extenuating circumstances.

If the investigation indicates a failure to comply with the Act, the local unit of government, agency Director or his/her designee will so inform the recipient and the matter will be resolved by informal means whenever possible within 60 days.

If the matter cannot be resolved by informal means, then the individual will be informed of his or her right to appeal further to the Department of Justice. This notice will be provided in the primary language of the individual with Limited English Proficiency. If not resolved by REDD, then complaint will be forwarded to Department of Justice (DOJ), Department of Housing and Urban Development (HUD) Field Office.

SUBMITTED AND ADOPTED BY:

Neville Hall, Mayor

August 17, 2021

Date

HUD PORTAL LEP:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq

CITY OF EDEN CDBG CORONAVIRUS (CDBG-CV) PROGRAM
Duplication of Benefits Policy/Plan

Section 1: Purpose

The City of Eden Duplication of Benefits Policy/Plan is to ensure no duplicate benefits are paid by local, state, or Federal agencies on behalf of its citizens. In accordance with the Stafford Act, funds may not be used for costs where other assistance was already provided for the same purpose if no unmet need remains. This policy shall help ensure that Community Development Block Grant Coronavirus (CDBG-CV) Program awards are necessary and reasonable, monitored for compliance, and funds recaptured if duplication is discovered.

Section 2: Introduction

Duplication of benefits (DOB) occurs when a beneficiary receives assistance from multiple sources such as Federal Emergency Management Agency (FEMA), the NC Housing Opportunities and Prevention of Evictions (HOPE) Program, the Small Business Administration (SBA), private insurance companies, non-profits, city, state, etc., for a cumulative amount exceeding the total need for a specific recovery purpose. The duplication amount is the excess assistance provided above the need.

The City of Eden will include procedures for reporting potential duplication of benefits information and documentation of benefits received from other programs in the application for CDBG-CV program assistance.

Section 3: Responsibilities

- a) The City of Eden, as award recipient, is responsible for ensuring all CDBG-CV requirements are met. The City Finance Director is ultimately responsible for ensuring compliance with requirements.

- b) The City Program Administrator will perform required analyses and determine any DOB as noted below and detailed in the CDBG-CV program's policies and procedures.

- c) City of Eden internal finance staff and project coordinator will monitor DOB compliance during audit activities.

Section 4: DOB Determination

- a) Regardless of program, the first step in DOB calculation is to determine the amount of funds previously received or made available to assist with needs.

b) The City will verify amount(s) received. Prior to any award of assistance, the City will provide forms and procedures addressing DOB to applicants for CDBG-CV assistance. Each procedure will:

1) Identify the total need of assistance.

2) Identify the assistance received for the same purpose as requested in the individual application.

3) Calculate unmet need by subtracting amount received from other sources, from the total need for assistance.

c) The City will monitor compliance with agreements by verifying amounts with support agencies listed in original calculation, and recalculating DOB if required. Monitor until project close-out.

d) Recapture funds (if necessary) should the Program Administrator and Finance Director determine duplication of benefits. The City will proceed with recapturing funds based on its normal collection policies.

e) The Program Administrator and Finance Director will work with all applicable organizations to assist in determining any duplication of benefits.

All documentation of duplication of benefits will be stored with the CDBG-CV program files. The Project Administrator and Finance Director will monitor the DOB process. Monitoring results will be reviewed by the Finance Director and filed accordingly.

Adopted this 17th day of August, 2021.

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk



MEMORANDUM-Draft

To: Honorable Mayor and City Council

Thru: Jon Mendenhall, City Manager

From: Tammie McMichael, Director of Finance & Personnel

Date: August 17, 2021

Subject: Emergency Paid Sick Leave

The Families First Coronavirus Response Act, passed in March 2020 as the federal government's first response to the COVID-19 crisis, is a law with many parts. The Emergency Sick Leave Act and the Emergency Family and Medical Leave Expansion Act are the two most familiar to public employers. The stimulus bill that was passed December 21, 2020 did not extend the Emergency Paid Sick Leave Act and the Emergency Family and Medical Leave Expansion Act. Those laws and the benefits they provided to employees expired at midnight, December 31, 2020. Council approved the attached policy to extend the Emergency Paid Sick Leave Act until June 30, 2021.

Since we are facing the Delta Variant/COVID-19, it makes the most sense to continue this benefit to employees. We are in hopes that all employees to stay healthy and safe. However, we would like to encourage employees stay out of work if they become exposed to or test positive for the Delta Variant/COVID-19 in efforts to prevent further spreading of the virus to other essential city employees. Staff recommends, as a proactive measure, that we continue to provide emergency paid sick leave for the period of July 1, 2021 through June 30, 2022; based on the conditions established in the attached Emergency Paid Sick Leave extension policy.

The City of Eden is taking steps to protect our employees with the expiration of the Families First Coronavirus Response Act (FFCRA) on December 31, 2020. It is the City's goal to continue to operate effectively and ensure that all essential services are continuously provided and that employees are safe within the workplace.

The City of Eden is committed to provide accurate information about the nature and spread of infectious diseases, including symptoms and signs to watch for, as well as required steps to be taken in the event of an illness or outbreak.

The City of Eden will provide eligible employees with temporary emergency paid sick leave under certain conditions. This policy will become null and void should Congress adopt an Emergency Paid Sick Leave Act prior to the expiration date of this policy.

The City of Eden Emergency Paid Sick Leave

The City of Eden Emergency Paid Sick Leave is separate from and independent of Family and Medical Leave (FMLA) and is independent of any existing sick leave policies that the City grants employees in the normal course of business.

The policy allows an eligible employee to qualify for emergency paid sick leave as follows:

1. The employee has been advised by their healthcare provider to self-quarantine because they are infected with or have been exposed to COVID-19 or because they are at high risk of complications from COVID-19.
2. The employee is showing symptoms of COVID-19 and is actively seeking but has not yet received a medical diagnosis;

Eligibility

All employees who have been employed with the City for at least 30 days (full-time) are eligible for EPSL in the event the employee is unable to work or telecommute because the employee meets one or more of the conditions stated above.

Duration/Compensation

Employees are eligible for, on a one-time basis, the following:

Full-Time employees: 80 hours of pay at their regular hourly rate of pay. "Equivalency of leave shall be provided for any shift work whereby an employee that is scheduled to work in excess of 40hrs a week is granted COVID leave at an equivalent rate for the amount of time they are scheduled to work for that week. Each employee's supervisor shall certify in writing as to the amount of shift work scheduled and the amount of COVID leave necessary to reach equivalency. Equivalent leave shall be capped at providing 2 weeks of COVID leave for shift workers

General Rules

- Employees may elect to use EPSL prior to utilizing any accrued paid sick leave under the City's sick leave policy.
- Employees that have used all or a portion of the original 80 hours, will not receive additional hours for EPSL.
- No leave provided by the City under any governmental act prior to July 1, 2021, may be credited against the EPSL eligibility.
- Employees are responsible for immediately notifying Human Resources of their intent to utilize this policy, so that the appropriate application paperwork may be given to the employee in a timely manner.
- Employees must successfully complete the necessary application paperwork and return it to Human Resources in a timely manner in order to receive compensation under this policy. Failure to return application paperwork and required supporting documentation in a timely manner may result in a delay in receiving compensation under this policy.
- Employees seeking compensation under this policy found solely to be taking this leave to defraud the City will be subject to disciplinary action up to and including termination of employment.
- The City will not retaliate against any employee who requests to take EPSL in accordance with this policy.
- This policy expires on June 30, 2022.

CITY OF EDEN
OFFICE OF CITY MANAGER

MEMORANDUM

TO: Honorable Neville Hall, Mayor and City Council

FROM: Jon M. Mendenhall, City Manager

SUBJECT: Succession Planning for Planning & Engineering Departments

DATE: 8/9/21

ENCL: None

CC: Clint Simpson, Assistant City Manager
Kelly Stultz, Planning & Community Development
Tammy Amos, Engineering Department
Beverly O'Dell, Engineering Department
Tammie McMichael, Finance & Human Resources Department

Due to anticipated retirements the following succession plan has been developed to allow for the timely onboarding of personnel in order that training, cross-training, and continuity of service to the public be accomplished.

Positions undergoing transition:

1. Transportation Engineering Director – expected 4th Quarter of Fiscal Year
2. Planner II – expected 4th Quarter of Fiscal Year
3. Meter Reader (PT) – expected 2nd Quarter of Fiscal Year
4. Water/Sewer Projects Manager – vacancy occurred 1st Quarter of Fiscal Year
5. Local Codes Administrator – GIS Coordinator – due to the technical nature of GIS, this position needs approximately 1-1.5 years of cross-training with replacement

Succession plan elements – on-board:

1. Re-cast Engineering Department to Division of Design & Construction in the Administration Department
2. Transportation Engineering Director transition to:
 - a. Office Assistant assigned to Planning & Community Development – 3rd Quarter of Fiscal Year
 - b. Engineering Assistant I assigned to Design & Construction -3rd Quarter of Fiscal Year
3. Planner II transition to:
 - a. Planner I assigned to Planning & Community Development – 4th Quarter of Fiscal Year
4. Meter Reader (PT) transition to:
 - a. Engineering Assistant/Meter Reader (FT) – 2nd Quarter of Fiscal Year
5. Water/Sewer Projects Manager – leave position unfilled, ORC duties have been moved to Public Works, construction will be assigned to Design & Construction

6. Local Codes Administrator – GIS Coordinator transition to:
 - a. Engineering Technician I assigned to Design & Construction – 4th Quarter of Fiscal Year to cross-train on GIS for 1-1.5 years

Succession plan – costs:

1. Approximate Cost Savings: \$68,623.00
2. Schedule of costs/on-boarding is approximate and estimated to occur within a 90-day range so that there is sufficient time to on-board/train/etc. but not overly so.

Requested Actions:

1. Authorize the succession plan.
2. Make the following classification changes/authorized positions:

a. Design & Construction Manager	GR 20	1 position
b. Project Manager	GR 13	0 positions
c. Project Coordinator I-III	GR 10-12	1 position
d. Engineering Technician I-IV	GR 7-10	1 position
e. Engineering Assistant I-IV	GR 3-6	2 positions
f. Office Assistant	no change	1 position