

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, January 18, 2022 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:	Gerald Ellis, attended remotely Jerry Epps, attended remotely (phone) Phillip Hunnicutt Kenny Kirkman Bernie Moore Bruce Nooe, attended remotely Tommy Underwood, attended remotely
City Manager:	Jon Mendenhall
City Attorney:	Erin Gilley
City Clerk:	Deanna Hunt
Media:	Mike Moore, Mike Moore Media, attended remotely Robin Sawyers, Rockingham Update

MEETING CONVENED:

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

PROCLAMATIONS AND RECOGNITIONS:

a. Black History Month

Mayor Hall read the following proclamation:

BLACK HISTORY MONTH PROCLAMATION

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

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

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

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

NOW, THEREFORE, I, Neville Hall, Mayor of the City of Eden, do hereby proclaim the month of February 2022 to be BLACK HISTORY MONTH in the City of Eden and encourage all City of Eden residents to join me in celebrating the collective ingenuity, creativity, cultures and traditions of African Americans and commit ourselves to raise awareness and appreciation of Black History Month by participating in educational events honoring the contributions of Black Americans.

Minutes of the January 18, 2022 meeting of the City Council, City of Eden:

Presented this 18th day of January, 2022.

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

SET MEETING AGENDA:

Mayor Hall advised the closed session portion of the meeting should be deleted and would be held the following day at the Budget Retreat.

Council Member Ellis wanted item 10b(h) removed from the agenda.

Mayor Hall said he had spoken with Planning & Community Development Director Kelly Stultz regarding that item and she planned to skip over it.

Council Member Ellis replied he was OK with that.

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

PRESENTATION OF THE 2020-2021 AUDIT BY ROUSE, ROUSE, ROUSE & GARDNER:

Mayor Hall called on Judy Rouse, CPA of Rouse, Rouse, Rouse & Gardner, to present to the report.

Ms. Rouse had a PowerPoint presentation created by firm partner Trevor Gardner. The whole presentation referred back to page numbers in the audit report. From page 4, she noted the audit was conducted: in accordance with auditing standards generally accepted in the United States of America; under governmental auditing standards, referred to as the yellow book; Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) – Federal Single Audit; and the State Single Audit Implementation Act. She read the audit opinion from page 1 of the report: Auditor Responsibility: “We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.” From page 2 of the report: “In our opinion, based on our audit, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Eden as of June 30, 2021, and the respective changes in financial position and cash flows, where appropriate, thereof and the respective budgetary comparison for the General Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.” Ms. Rouse explained the City had a clean opinion on the financial statements. The firm prepared the audit for the Eden ABC Board and the component unit was found on pages 15 and 16 in the report. The balance sheet for the store was in the righthand column and the income statement was on page 16 on the right side of the page. The report included financial information from the following actuarial studies: Law Enforcement Separation Allowance; Other Post-Employment Benefits (health insurance coverage provided to retirees when they left the City); and Local Government Retirement Pension and Law Enforcement Retirement. Information for the pension and retirement was provided by the State Auditor’s Office. Ms. Rouse referred to page 8 of the presentation regarding the General Fund.

Mayor Hall questioned where the ABC Store information was because the presentation information referenced it being on pages 92-97.

Ms. Rouse explained those were the pages for the actuarial studies. She referenced the balance sheet for the General Fund on page 8 comparing 2020 and 2021. Under cash, the City had \$10,340,759 in 2021 versus

\$8,821,790 in 2020, meaning an increase in cash of \$1,518,969 which was a positive change of 17.22 percent. Under total liabilities, the City had \$689,121 in 2021 compared to \$523,633 in 2020, which was a difference of \$165,488 or 31.60 percent. Under fund balance available for appropriation, the City had \$9,243,232 in 2021 compared to \$7,100,038 in 2020. This was an increase of \$2,143,194 or 30.19 percent. Under the total fund balance, which was the net worth of the General Fund, the City had \$12,402,153 compared with \$10,651,957 in 2020. That was a difference of \$1,750,196 or 16.43 percent. Thus far, the assigned fund balance appropriated to the 2021-2022 budget amounted to \$575,000. The balance sheet information could be found on page 99 of the report.

Mayor Hall noted that the \$575,000 coming out of the fund balance was the result of programs or committees not being funded in the annual budget but funds were earmarked for those.

City Manager Jon Mendenhall advised that was correct. About \$175,000 was designated for that purpose with \$400,000 as contingency in the current fiscal year.

Ms. Rouse noted that during the 1998-1999 fiscal year, Council voted to require three months working capital. That involved taking the total expenditures in the General Fund for the prior year found on page 115 of the report: \$16,974,895 divided by 12 multiplied by 3 equaled \$4,243,724. The City's total unassigned fund balance was \$9,243,232 found on page 99 of the report or \$4,999,508 higher than the policy requirement. Page 10 of the presentation was a comparison of the City's fund balance with municipalities of a similar size in the state. The information from the Local Government Commission was from 2020. The Local Government Commission stated the fund balance available was comprised of amounts shown as restricted, committed, assigned or unassigned. The City's total fund balance available was \$12,108,978, found on page 99, which did not add in prepaid or inventory. Total expenditures were \$16,974,895, found on page 115. The fund balance available for expenditures was 71.33 percent. According to the Local Government Commission, the 2020 average statewide level of total fund balance maintained by municipalities without electric with a population ranging from 10,000 to 49,999 was 53.53 percent. The City was above the state average by 17.8 percent.

Ms. Rouse noted page 11 was a budget comparison in the General Fund. The City had budgeted \$16,386,200 with the actual revenues a little higher at \$16,741,499 which was a favorable variance of \$355,299. This was found on page 101 in the report. Expenditures were budgeted at \$19,918,580. They spent \$16,974,895 so they were under the budget expenditures by \$2,943,685, as seen on page 115. No departments in the General Fund spent over their budgeted amounts. She repeated that statement at Mayor Hall's request.

Ms. Rouse said page 12 was a comparison of the actual total revenues for both years on page 101 of the report. The total revenues for 2021 were \$16,741,499 compared to \$15,508,112 in 2020 for a change of \$1,233,387 or 7.95 percent increase. Total expenditures on page 115 for 2021 were \$16,974,895 compared to \$16,022,652 in 2020 for an increase of \$952,243 or 5.94 percent. Regarding proceeds from loans and transfers found on page 115 of the report, the City bought some capital assets in the General Fund and there was money borrowed for those. Most of the \$1,983,594 was borrowed money. The fire training facility capital project was completed and the remaining funds were transferred into the General Fund. In 2020, the loans and transfers were \$976,655, so that was a change of \$1,006,939 or 103.10 percent. There were details in the report of what was purchased, what the cost was, repayment time, interest rates and such. Revenue over expenditures on page 116 in 2021 was \$1,750,198 and the prior year was \$462,115 for a change of \$1,288,083 or 278.74 percent. She said to remember in that figure, there was borrowed money that would have to be paid back.

Ms. Rouse said in the Water and Sewer Fund, page 14 of the presentation showed the balance sheet. Cash was \$3,837,856 compared to the prior year of \$5,284,734 for a difference of \$1,446,878 or 27.38 percent. Total assets and deferred outflow of resources, which included all the infrastructure related to the fund, was \$82,812,755 compared to \$75,688,052 in the prior year for a difference of \$7,124,703 or 9.41 percent. She advised the difference was from the EPA mandated improvements and the Mega Park work.

The net position, the value of the fund after assets were added and liabilities subtracted, was \$60,542,755 compared to \$55,927,042 in the prior year for an increase of \$4,615,713 or 8.25 percent. The full statement could be found on page 125 in the report. Page 15 of the presentation showed different funds set up for the Mega Park and the EPA. This was to note how much money came into the City from grants and loans. With the EPA, there was a grant that did not have to be paid back (NC Connect Bond Grant \$3,228,444) but a bond loan that would have to be repaid (NC Connect Bond Loan \$3,228,444). The total was \$6,467,764. Mega Park funding sources, found on page 140 of the reports, were the Drinking Water Reserve Grant at \$147,497, Economic Development Administrative Grant at \$169,388, General Assembly appropriation of \$710,624 and loan proceeds of \$442,491 for a total \$1,470,000. The income statement for the Water and Sewer Fund operating revenues could be found on page 126 in the audit report. Operating revenues were \$9,952,215 while the prior year was \$10,815,586, a difference of \$863,371. The sewer billing decreased because Duke Energy had put about \$2 million into helping clean up the river and those funds were not received in 2021. She said Covid had probably made some difference as well. Capital contributions, which were grants that did not have to be repaid, were \$4,580,633 compared to \$3,744,823 in 2020 for an increase of \$835,810. Operating expenses were kept down compared to the prior year with \$9,973,184 versus \$10,513,345 in 2020 for a difference of \$540,161. She noted that was probably a result of Duke Energy and costs related to that clean up. The non-operating expense, which was interest, was \$143,787 compared to \$189,630 in 2020 for a difference of \$45,843. As some of the loans were paid off in water and sewer, the amount would go down. They had been fairly fortunate with funds coming in through the NC Connect loans which had no interest but the principal would have to be repaid. She said the details of the Water and Sewer Fund budgetary information could be found on pages 130-138. There were no departments in the Water and Sewer Fund who spent over their budgeted amounts.

Ms. Rouse said on page 19 of the presentation, additional notes could be found. Included in the footnotes was an analysis of construction proposed commitments in effect as of June 30, 2021 and extending to 2022, found on page 42 in the audit report. The details relating to long-term debt appeared on page 87. The installment purchases totaled \$24,247,104 (interest and principal) at June 30, 2021. The amount consisted of \$6,833,070 of debt for governmental activities and \$17,414,034 for water and sewer activities. There was a requirement on the legal debt margin that the City could have and it was 8 percent of the total assessed property valuation of \$920,351,181, found on page 149, or \$73,628,094, which could be found on page 86. She would hope the City would never get that high in debt. Under the current tax levy, found on page 149 in the report, there was an analysis. The current year's collection rate was 98.76 percent. The state average collection rate for 2020 in the City's population range was 98.91 percent, excluding vehicles, so the City was in line with that. On page 90, there was a footnote concerning the EPA Administrative Order of Consent noting that it was imperative that Council follow the progress of the bid process and construction related to the mandate to ensure compliance with the deadline of February 28, 2022. After the issuing of the report, the City received an extension of the compliance date for the Administrative Order of Consent no later than December 31, 2024. That was approved by the Environmental Protection Agency on December 1, 2021. She noted that was very important and Council needed to keep abreast of what was going on. If they could not complete by that due date, they needed to be proactive months in advance because they did not want to go down to the deadline on trying to get approval. Under the governmental auditing standards starting on page 22 of the presentation, the independent auditor's report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with government auditing standards could be found on page 152. The firm's audit was not designed to identify all deficiencies in internal control. The firm found no significant deficiencies or material weaknesses during 2020-2021. They would point those out if they found them but they did not have a report or opinion on internal control.

Ms. Rouse referred to page 23 of the presentation regarding the State Single Audit Act. Due to the significant amount of state grants and loans received during 2020-2021, the City was required to include the following report: Report on Compliance for Each Major State Program; Report on Internal Control Over Compliance; In accordance with OMB Uniform Guidance; and the State Single Audit Implementation Act, which could be found on pages 154-155 of the report. In the firm's opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material

effect on each of its major state programs for the year ended June 30, 2021. When the City had a compliance audit, there were a list of items that had to be checked off. Going by that list, the firm found no material weaknesses or significant deficiencies in that. Ms. Rouse advised the only two other items she had were the management and governance letters. The governance letter was just to let Council know if there had been problems dealing with management. There were inexperienced and very experienced people in the Finance Department. They had worked hard to get the firm all the information they needed and in preparing and writing the report. It was tremendous that a city the size of Eden could do that. They had encountered no difficulties dealing with management and she complimented their effort to help the firm get a good product out. In the management letter, the firm always commented on the number of adjusting entries which were down from the prior year: 17 in the General Fund, 10 of those proposed by Finance, 8 in the Water and Sewer Fund with 6 of those proposed by Finance. Ms. Rouse said the field was changing so much in governmental accounting, the City needed to keep abreast of what was going on at the Local Government Commission and at the School of Government. It was worth the cost to send employees to the schools. She advised that continuing education be budgeted as it was very important. The City had done the actuarial studies they needed and those should continue. The audit could not be put together without it. Regarding federal and state grant oversight, due to the volume of grant and loan awards the City was receiving related to the EPA order and American Rescue funds, it would be beneficial to have an employee knowledgeable of compliance requirements and procedures. That person should be aware of all loans and grants applied for by department heads and guide them through the process of adhering to requirements for proper compliance. As found in the report on page 156, the City received grants and loan funds in 2021 as follows: \$611,828 in federal money spent and \$9,583,369 in state money spent. Until the EPA was completed and with rescue money coming in, there would need to be federal and state oversight. In the past, there had been electronic submittal of timesheets but no way for the payroll clerk to see proper signoff from the employees and supervisors. The firm was pleased that improvements were being made on timesheet approval and submission with a new payroll system to be issued in 2022.

Council Member Hunnicutt asked what the City's current debt was.

Ms. Rouse replied it could be found on page 87 of the report under general activities, the total was \$6,833,070 adding principal and interest. In the Water and Sewer Fund, the debt with the interest was \$17,414,034.

Mayor Hall thanked the firm for completing the audit for the City. He knew they worked all year on it and it was an informative document. He thanked Mr. Gardner for preparing the presentation as it cut down on trying to follow along in the report.

Ms. Rouse said Mr. Gardner was very computer oriented. They were thankful for that.

Mayor Hall noted he saw Ms. Rouse and Mr. Gardner in City Hall often. He thanked the staff. The city manager was very cost conscious and the City was in a better financial state than they had been in a long time. That was attributable to the staff who were willing to do the best they could with the least amount of money. He appreciated that the finances appeared to be headed in the right direction and the City seemed to be in a strong financial position. The City had actually hired an outside auditor to go through some of the processes and make sure everything that was being done was the best practice and there were a few recommendations for changes. The audit presented was an audit of the City's financial position.

Ms. Rouse said it should be noted that the firm said in their opinion things were fairly presented. There were a lot of transactions and they could not look at every invoice the City had. Nobody could, it was beyond that. They said everything appeared to be presented fairly in all material respects. She felt it was a very good report.

PUBLIC HEARINGS:

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There were none at this time.

REQUESTS AND PETITIONS OF CITIZENS:

There were none at this time.

UNFINISHED BUSINESS:

a. Boards and Commissions Appointments.

January 7, 2022 memo from Planner Debbie Galloway: The following seats on the City Boards and Commissions are up for appointment or reappointment in 2022. When making appointments, please consider whether these persons have the time or the ability (for whatever reason) to attend regular meetings and participate in the activities of the board or commission. Ward 3 Councilman Kirkman: Barney Walker – Board of Adjustment (term expired); Ward 5 Councilman Underwood: Max Kirks – Tree Board (term expired) and Community Appearance Commission (vacancy left by Cathy Carter); ETJ – Planning Board (Must be appointed by City Council and approved by County Commissioners) Vacant (seat formerly held by Matt Smith)

Mayor Hall called on Ms. Stultz.

Ms. Stultz noted that some members had needed another month to get appointments made.

Mayor Hall said Council Member Kirkman had not had a chance to speak with his nominee and would bring it back the next month. He called on Council Member Underwood who had two appointments to fill.

Council Member Underwood nominated Max Kirks to continue on the Tree Board and Jennifer Shelton to serve on the Community Appearance Commission.

Mayor Hall said he had been contacted and an application made by Terry Shelton to serve on the Planning Board as the ETJ member.

A motion was made by Council Member Moore to appoint Max Kirks to serve on the Tree Board, Jennifer Shelton to serve on the Community Appearance Commission and Terry Shelton to serve on the Planning Board. Council Member Kirkman seconded the motion. All members voted in favor of the motion. The motion carried, 7-0.

b. Consideration of Uptown Eden improvements.

January 10, 2022 memo from Planning & Community Development Director Kelly Stultz: The Internal Technical Review met on January 10 and discussed the above referenced improvements. The following are our recommendations:

A. Bridge Street Parking Lot – Wall and Tree Removal

After discussions at the staff level, we decided to engage Scott Flanagan of Cirrus Construction who is a structural engineer, to determine the best way forward. The ITRC is in favor of taking down the trees, taking down the wall and following Mr. Flanagan's report to stabilize the area on which the wall is removed. We anticipate the need to patch some asphalt in the parking lot of 600 Washington. Erin Gilley is preparing an agreement between the City and Mr. Emerine. Once that agreement is signed, our force account will do the work for the project. A copy of Mr. Flanagan's report is attached for your review.

B. Emerine Parking Lot Lease – 600 Washington Street

After much consideration, we do not believe the City should negotiate a lease of the Emerine parking lot. We do plan to realign the spaces in our existing Bridge Street parking lot. This will involve a coating of the lot and some new paint.

C. Potential for Additional Parking Spaces Behind the buildings on the South Side of Washington Street.

This has been completed.

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D. Henry Street Parking Lot

There has been an application done by Randy Hunt to install a charging station for electric vehicles. We did not receive this grant.

E. Henry Street Waterline Replacement and Patrick Street Sewer Manhole and Line Replacement.
This has been completed.

F. Hotel/Ray Commons sidewalk at the corner of Monroe and Washington Streets.
This project has been completed.

G. Alley Behind Ray Commons Building – Monroe Street.

This alley is to be re-paved. There are some drainage issues that will be handled by our City forces. The drainage issue will be dealt with shortly and the paving will be done as part of the Monroe Street resurfacing project.

H. Monroe Street – Resurfacing.

This will be undertaken after the sidewalks are replaced.

I. Monroe Street Parking Lot – Resurfacing.

This will be undertaken as part of the Monroe Street resurfacing project.

J. Monroe Street Parking Lot Drainage Improvements.

These repairs are now underway.

K. Washington Street Crosswalk Installation.

In the mid 2000's, the City of Eden undertook a streetscape project in what is now called Uptown Eden. The sidewalks were replaced on Washington Street and new lights and decorative crosswalks were installed. At the time of installation, we were told by NCDOT that when the street was repaved, the City would have to replace the crosswalks if we wanted decorative crosswalks. We have reached out to NCDOT and others to find an average cost for the replacement. Based upon recent information, the price of this project has gone up. We will provide information when we get final numbers. The Eden Downtown Development Corporation and the Uptown Merchants have reviewed samples from the supplier. They recommend a yellow/gold color be used. For the original project, a color similar to the brick used in the buildings was chosen.

L. Monroe Street Sidewalk.

The sidewalks on both the east and west sides of Monroe Street need to be replaced. Paul Dishmon has the sidewalk and drainage work on his schedule. This will be done as a part of our maintenance program and by City forces. Copies of the three concepts proposed in the most recent draft of the Uptown Small Area Plan are attached for your review. The EDDI and the merchants support making Monroe Street one way going north toward Jay Street. We are asking you to approve \$20,000 to \$30,000 to have construction and design plans done for the sidewalks, potential bump outs, curb and gutter and landscaping. Concept 1 (Preferred Alternative) is the concept that has been recommended. The plans will contain accommodations for outdoor dining.

Mayor Hall called on Ms. Stultz.

Ms. Stultz advised the improvements were an ongoing project whose progress had been reported to Council twice before. Staff would like more time to look at the Monroe Street sidewalk project, listed as item L in her memo. There had been some questions raised about some impacted parties not being fully informed about what was going on with that item.

Mayor Hall clarified that was for all of the changes on Monroe Street.

Ms. Stultz replied yes. Regarding the Bridge Street parking lot, there had been discussion about the wall and trees and other things. The wall was on City property. Scott Flanagan, a structural engineer with Cirrus Construction, had looked at the wall and given a recommendation and plan. Staff believed that could be done in-house. City Attorney Erin Gilley was working with adjoining property owner Wayne Emerine on an agreement. After much negotiation, it was determined the City should not negotiate a lease of the Emerine parking lot. Staff did plan to realign the spaces in the existing Bridge Street parking lot which would involve a coating and new paint. Regarding the potential for additional parking spaces behind the buildings on the south side of Washington Street, that was completed and those spaces added. Community & Economic Development Manager Randy Hunt had applied for a grant to install a charging station for electric vehicles and it was not awarded.

Council Member Hunnicutt questioned the cost of a charging station.

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Ms. Stultz did not know the answer but the grant would have been for \$25,000. She would find out.

Council Member Hunnicutt would like to see if the station could be put in anyway. There were certain things he thought the City needed to do as part of economic development. Electric vehicles were definitely coming and he thought it was prudent for the City to look at it. He was not saying to do it but to take a look at it.

Council Member Underwood said regarding the wall, he wanted to clarify that the wall was on City property.

Ms. Stultz said it was. A survey was done to verify that. She advised the Henry Street waterline replacement and Patrick Street sewer manhole and line replacement was completed. The hotel/Ray Commons sidewalk at the corner of Monroe and Washington streets had been mostly completed, there was a tiny bit of work left to do. The alley behind the Ray Commons building on Monroe Street would be repaved in the next round of paving. There were some drainage issues that would be handled by our City forces. The drainage issue would be dealt with shortly and the paving would be done as part of the Monroe Street resurfacing project. If there were no change to Monroe Street, it would be part of the regular resurfacing as it came through that year.

Council Member Ellis questioned Monroe Street being repaved.

Ms. Stultz said that even if no changes were made to the Monroe Street sidewalk configuration, Monroe Street would have to be resurfaced as it was. It was set to be done as just a regular resurfacing project if the sidewalks were redone. The sidewalks would need to be repaired regardless of what the ultimate decision was on the plans for Monroe Street.

Council Member Nooe said he had some calls about Monroe Street. It was not that the people were against it, it was that they had questions and wanted more information and to be better informed. They wanted to know what work was going to be done and how it was going to impact them.

Ms. Stultz replied that staff would try to do that. The parking lot off Monroe Street would be resurfaced as a part of the spring 2022 paving contract. The drainage improvements were currently underway by staff. When the state repaved Washington Street, they covered up the decorative crosswalks that were in place. The City was told at the time of installation in the mid-2000s that when the street was repaved, the City would have to replace the crosswalks. When replacement was first brought before Council, staff thought the cost would be about \$32,000. It had been several months and lots of things had changed. Transportation Engineering Director Tammy Amos had prepared information that detailed a change in price from \$68 a square yard to \$81 a square yard, raising the price to \$50,000. Council was asked if they wanted staff to proceed with a contract to do that work.

Council Member Moore said it would be something that was temporary as when the street was paved again, it would be covered again.

Ms. Stultz said that was right but the last time the City put them down and the state paved was more than 15 years ago. That was about the life of the crosswalks themselves. They had actually lasted a year or two longer than they were said to have. Staff did not anticipate the state repaving the entire street in that lifespan barring a disaster.

Mayor Hall asked Ms. Amos if she thought the price increase would fluctuate. He knew asphalt and materials went up and down in price. He questioned if the price would go up in her opinion.

Ms. Amos responded that it could. The price the City had in May 2021 was from NCDOT Resident Engineer Jason Julian and it was already a year and a half old. Ms. Amos knew prices were rising when Covid happened so staff went out and remeasured all the crosswalks. She then reached out to the actual contractor

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who did the last crosswalks and asked for an updated price based on prices getting higher and the contractor was the one who gave her the cost in December. She thought it was currently a good price. She was sure it would be higher if they waited until next year.

Mayor Hall advised lumber had gone up and down, depending on supply and demand. He asked if Ms. Amos thought the City was at a terrible point to be considering it or if the pricing was as good as it was going to get.

Ms. Amos answered it was probably as good as it was going to get. Staff had said if Council voted to do the project, they would go ahead and include it in the upcoming budget. She could get the contract out quickly and possibly do the work in July and August. The stamped asphalt had to be done in hot, hot weather and it could not be done after October. There was a small timeframe when she could get them in here to do it and they did get booked up pretty quickly.

Ms. Stultz added if they let a contract and had it signed the pricing would stay the same.

Ms. Amos agreed that were true if it was done this year. She noted there would probably be a stipulation in there that if they waited until the next year it would be different.

Council Member Moore said he had read it was not going to be a brick color, but a yellow gold color.

Ms. Stultz said the Eden Downtown Development Incorporated (EDDI) and the merchants' association that met both chose a color that was referred to as goldenrod. The previous time she had picked the color because it was the closest to the color of the bricks in the buildings downtown.

Council Member Moore noted a lot of them had been painted.

Ms. Stultz said the Historic Preservation Commission had not been able to meet yet and so had not weighed in. She thought another color might be more historically accurate but the gold color was what the EDDI and merchants chose.

Council Member Moore questioned the grate replacement in the sidewalk alongside the hotel on Monroe Street. He asked if that was part of the sidewalk project.

Ms. Stultz replied the project was completed by the property owner. He had filled in the hole. There may be a little dress work to do on it.

Mayor Hall noted the only item on there that needed a motion was the crosswalks in the Leaksville area. He asked Ms. Stultz if she was sure the color was set or if the Historic Preservation Commission would have a chance to convince the groups to change it.

Ms. Stultz replied that anytime there was a decision like that, the final decision was made by Council as it had been years earlier when the crosswalks were put in. Although recommendations could be made by volunteer groups, the ultimate decision was made by Council.

Council Member Hunnicutt said he was on the EDDI and had seen the color. He did not think it was obtrusive at all. It was a mild yellow gold shade.

At this time, Ms. Amos brought in the color sample which Ms. Stultz presented to Council. She noted the shade was marigold.

Council Member Hunnicutt asked Mr. Mendenhall if the request was for \$50,000.

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Mr. Mendenhall replied that was correct. The idea would be that it would be budgeted in FY 2023 so it would not be appropriated out of the current year's budget. Staff needed to know if Council wanted to proceed so the prices could be locked in.

Council Member Hunnicutt thought inflation was rolling and he thought the City needed the crosswalks. A motion was made by Council Member Hunnicutt to approve up to \$50,000 to fund the crosswalks.

Mr. Mendenhall advised that was appropriate. If there was a change, staff could come back with that.

Council Member Moore seconded Council Member Hunnicutt's motion.

Council Member Kirkman said he had a problem with \$50,000. That was a lot of money. He asked if it was a necessity. He questioned if putting regular crosswalks down would be a little cheaper.

Ms. Stultz advised they would.

Council Member Kirkman said not to get him wrong, they looked good. But the City could do a lot of things with \$50,000.

Ms. Stultz said one of the major focuses the City had in recent years had been downtown improvements. Staff was finishing up a small area plan for Uptown and planning to then move to Draper and The Boulevard. Draper also had decorative crosswalks and when the state repaved there, she was sure the City would be asked to redo those too. Regular painted crosswalks were not free. There was a considerable difference but there was aesthetic value and the impact to downtown.

Council Member Ellis questioned how many crosswalks would be replaced.

Ms. Stultz answered 14.

Ms. Amos advised they were from Bridge Street to Patrick Street. There were two more at Hamilton Street that would have cost an additional \$7,000 to \$8,000 because of their size.

Ms. Stultz said those had been taken off.

Council Members Ellis, Epps, Hunnicutt, Moore, Nooe and Underwood voted in favor of the motion to approve up to \$50,000 to fund the crosswalks. Council Member Kirkman voted against the motion. The motion carried 6-1.

c. Informational – Affirmative Maintenance Program update.

January 7, 2022 memo from Planning & Community Development Director Kelly Stultz: Community development in the 21st century is a comprehensive program that includes stopping the tide of residents that live in substandard housing, seeking grant funds from any resource available to the City for any type of project, restoring community pride, taking steps to provide quality and variety in housing types, encouraging small businesses to thrive, improving community appearance, providing recreational opportunities for our citizens, seeking industry to come to Eden, providing the necessary infrastructure and preserving both our historic resources and Eden's environment.

Affirmative Maintenance. As to local code enforcement, Minimum Housing Ordinance, the Non-Residential Maintenance Ordinance, the Nuisance Ordinance and the Junk and Abandoned Vehicle Ordinance are a part of our Unified Development Ordinance. In an effort to see local code enforcement improve its effectiveness, it was decided in early 2021 to reshape the program into Affirmative Maintenance. We are making this proactive change in earnest in February 2022. That means that we use all of the tools provided by the General Statutes and the Eden City Council to improve the building stock of Eden, to deal with lack of maintenance and to improve our citizen's quality of life.

Land Banking: The need to re-purpose properties that have experienced local code actions is common to most communities across our nation. NC does not have specific enabling legislation for this activity; however, we already engage in these activities. When we are forced to demolish structures or if we repair them, we often end up owning the property. Our department handles advertisement and sale of property acquired by the City through local code

enforcement. We intend to increase our efforts to reach out to potential buyers through social media, communication with real estate professionals in our area. Below is a list of the properties that we currently own through abatement. We plan to increase our efforts in the sale and adaptive reuse of these properties and the ones that arise from our stepped-up Affirmative Maintenance efforts. We propose putting signs on the properties and do more advertising.

131 Greenwood Street

631 Grove Street

429 Monroe Street

1001 Sharpe Avenue

Lot 105, Indian Hills

Lot 106, Indian Hills

Lot 8, Section F, Conover Drive

Lot 9, Section F, Conover Drive

We own 886 Morgan Road but it is on the January Agenda for the City Council to accept a bid and sell it this month.

Ms. Stultz explained another thing that had been talked about for some time and for most of her career was local code enforcement and the various ways it had been looked at and approached. The previous year, it had been given a different name and outlook as affirmative maintenance. All of the local code ordinances were combined into the UDO. There was a desire to see its effectiveness increased. The information was brought to let Council know that in light of Covid and people not working, Council had decided to take a tactical pause with some of the efforts because of citizen engagement and that sort of thing. What staff planned to do now was use money already set aside in the departmental budget and begin to focus on the various kinds of abatements that needed to be taken care of across the City. A part of that, and part of the original discussion, was about land banking. In the state, there was not a specific statute that created the City's ability to land bank. The City could do it in a lot of ways and actually already were. She referenced the list of properties listed in the memo above. All of those were set and had been declared surplus by Council. The City was trying to sell them. Another item on the agenda was the sale of 886 Morgan Road. A bid had been received on that property and it had to be done through an upset bid process. There were a lot of positives about code enforcement, particularly since Council made the decision last year to repair some properties instead of demolishing them as long as they could stay within budget. If there was a special circumstance, she would bring that back before Council. Any time staff needed to spend over a certain dollar amount, it had to come before Council. Staff was very excited to provide the program and do it fairly across the community.

Mayor Hall noted land banking was brought up by Council Member Hunnicutt. It was hopefully going in the right direction as Ms. Stultz was getting her staff prepared for it. Anything the City could do to avoid demolishing and having to put a lien on a property would be an improvement over what had been done in the past so he appreciated the information about that.

Council Member Hunnicutt said he did not think they did any the previous year, but in the past five years he thought the City had spent \$450,000 or a big number like that. There was a lot of money spent tearing down buildings. The thought was to take some of the money and put it back into the property and put them back on the market.

Ms. Stultz said a good chunk of the money that was spent was for nuisance abatement. It was a little easier to collect those funds than when they did demolitions. It was never a good thing to tear down the building stock if they could avoid it.

d. Technical review report on proposed tubing program.

January 10, 2022 memo from Planning & Community Development Director Kelly Stultz: At the November meeting of the Eden City Council, the Strategic Planning Commission asked the City Council to approve a tubing program for the City of Eden. Across our country and our state, tubing is an extremely popular leisure activity. Many of our marketing efforts focus on the rivers and we hear from citizens that we need more access to both the Smith and the Dan Rivers. At the December Council meeting, a series of questions were raised. The Internal Technical Review met on January 10 and discussed the questions about the above referenced program. Jason Wood from the Rescue Squad and Tim Biggs, President of the Board of Directors of the Eden Rescue Squad, were present to assist in the answers.

In addition, the Rescue Squad and City Staff have recommended collaboration in the planning and implementation of this program. Bi weekly meetings with the two entities will be held following City Council approval until implementation of the program. In addition, the meeting will continue during the implementation in order to address any response and user safety.

The following are our responses and recommendations:

1. Who will make the ultimate decision the river is safe for the tubers?

The Program Director or the Parks and Recreation Director. The decision will be made after a morning kayak trip to assess conditions (river and weather) and the Director will complete a daily checklist.

2. Will proper training be provided to employees who will make sure the life jackets are the proper size?

At the site of the intake and the Smith River Greenway, there will be staff present. The staff will be trained to size the life vests. There will also be a training video that the tubers are required to view. The video will include a map of the route, footage of the takeout, life vest safety, instructions on how to get past obstructions (strainers) and we are contacting Roy Sawyers about his assistance with the video. Jason will work with city staff to prepare an emergency response plan. The Rescue Squad and city staff plan to have bi-weekly meetings even after the program is underway. We will be developing a daily check list that will include checking the weather, river conditions, the life vest and all equipment. In addition, a waiver for the tuber to sign will state that the participant has been advised that life vests are mandatory. This waiver will be required. It is being crafted by the City Attorney.

3. Who will monitor that there is no alcohol use while floating the river?

City staff will monitor evidence of alcohol use prior to the person going in the water.

4. If unexpected thunderstorm or dangerous weather condition arises, how will the tubers position on the river be determined and how will they be notified and where will they be extracted from the river?

We have reviewed the plans for other jurisdictions and for Three Rivers Outfitters. The plan is for staff to check the weather forecast for 3 hours from the time of launch. There will be direction given at the outset of the activity during the safety video as to what to do and who to contact when there is a problem on the river. After consultation with the Rescue Squad, there will be a number to call for operational issues (a delay in pickup, etc to the City Program Staff) and a 911 call will be advised for any life- threatening issues. This will be detailed in an Emergency Response Plan drafted in coordination with the Rescue Squad.

5. Who will monitor the wearing of life jackets at all times?

Like other jurisdictions, we can provide the life jackets and have wearing them a part of the waiver that the tuber signs prior to entering the river.

6. How will downed trees or other hazards be removed from the river to allow safe passage?

The predominate place for downed trees and debris on this route would be at the Kings Highway Bridge. Most of the time the NCDOT and the Dan River Basin Association will handle removing what the Rescue Squad and the Fire Department refer to as "strainers". Staff is looking for contractors if the City has to hire someone to remove obstructions. The debris and "strainers" will be evaluated by the City Staff employee who assesses the river conditions each morning before trips are allowed. If dangerous conditions, including strainers and debris, are observed on this trip, the daily tubing activities will be cancelled until the debris can be safely removed or maneuvered around.

7. Will the route be inspected daily for hazards, debris, or fallen trees? If so, who will do the inspection? -The same person who determines the river is safe? What will be used to make this survey? Boat? Jet ski?

A City employee will put in at the Smith River Greenway access and travel the route by kayak and be met at the Boat Landing site on the Dan River. This person will determine if there are issues with the river. If there are problems, no tours will take place until the situations either dissipate or are remedied.

8. There is no readily available on-site rescue personnel or equipment.

Jason Woods is comfortable with starting the program before the Fire Department training is complete. The head of the Rescue Squad has offered to train the Fire Staff and potentially Police Officers in the skills necessary to make/assist in rescue operations. Jason Wood, Chief of the Rescue Squad, and Todd Harden, Fire Chief, will schedule a meeting for this training before the program begins. City Staff looks at this cross training as an opportunity for our emergency personnel and as a response to the recent safety issues.

9. The rescue of the individuals is dependent upon a volunteer organization who may be committed to another emergency call. Assistance in water rescue operations will be coming from the west and south side of the county if Eden Rescue is unavailable or lack of manpower.

As in question 8, City staff will partner with the local organizations.

10. How will accountability be maintained?

Recreation Department staff.

11. The rivers are sometimes unpredictable with changing weather conditions upstream which can lead to unexpected water level and current speed. How will the situation be monitored? How will the tubers be notified of potential danger and where will they be extracted and by who?

The tubers that are on the river will not be able to be removed mid-trip. This is similar to other programs. Tubers that have completed the trip will notify the City staff via cell phone while on the river or will call 911 if there are life threatening issues on the river. Tubers will be advised of this during the safety training at the outset of the activity.

They can also inform staff that picks them up at the out take point and this information will be relayed to the staff at the intake.

12. On the route proposed there is no extraction points all rescue operations will have to be conducted from one access (the boat landing).

This question is very similar to question 11 and the answer is the same.

According to Jason Wood, if an incident occurs on the Smith River, a raft that has been purchased by the Eden Rescue Squad will be launched from the Island Ford Landing. If an incident on the Dan River, then a motor boat will be launched from the Wildlife Access “boat landing.”

13. People with little to no experience on the river maybe be lulled into a false sense of security that no dangers on the river exists may lower their situational awareness due to it being a City sponsored activity.

Participants in the City program will be required to watch the video that will educate tubers of the river conditions and its dangers. One purpose of this program will be to increase river awareness by members of the community. In addition, the waiver will also list inherent dangers on the river and participants will be required to acknowledge that they were advised and educated.

14. With the exit point being a state wildlife owned boat ramp, will conflicts between the tubers and fishermen using the boat access become a problem?

According to rescue staff and other observation there are very few fishermen at this spot in the river. The most use is by people taking a dip in the River.

During the ITRC meeting this morning, some other issues were raised and discussed:

1. What do we do when the Smith River is low at the access point?

Three Rivers Outfitters uses a rule of thumb that if the water is below the steps at the access then no trips on the Smith are taken.

2. Rescue Squad requires anyone within 10 feet of the River have on a life preserver.

The ITRC recommends that our program have the same requirement, including all staff.

3. The issue of adequate signage on the rivers came up. The ITRC recommends that we confirm signage put up by Duke Energy and install some of our own if deemed necessary. A large sign that said dam ahead and a sign about the portage.

The ITRC recommends these precautions. Overall the ITRC and our guests, are in favor of the tubing program. Jason Wood of the Rescue Squad said that an organized program would provide better safety to all tubers and not just the ones using our program.

Mayor Hall called on Mr. Mendenhall.

Mr. Mendenhall read from a memo he wrote to the Mayor and Council dated January 17: On December 21, 2021 at the regular City Council meeting, Council instructed as follows: “Council Member Hunnicutt’s motion to postpone the tubing program initiative until the next regular scheduled City Council meeting in January to allow the proposal to be taken back to the city manager and iTRC for assessment and recommendation was seconded by Council Member Underwood. All members voted in favor. The motion carried, 7-0.”

On January 10, 2022 the Internal Technical Review Committee “iTRC” met and produced the recommendation labeled as agenda item 10d. On January 12, 2022 staff-initiated refinement of the original proposal occurred in summary moving the location of the route to the Dan River running from the Klyce Street access to the Bethlehem Church Road access. Due to the refinement of the proposal, another iTRC was conducted on January 13, 2022. Additionally, on January 13, 2022 a staff meeting was held to receive the report from the iTRC and for further review by all departments. Management having received the report from the iTRC, the refined proposal, and the various discussions from staff summarizes the findings as follows:

The proposal as presented would benefit the public recreation and tourist activities undertaken by the City, but would require investment to provide this benefit. Additionally, the role of public safety agencies to protect the public program participants is heavily weighted in the assessment of this program and will require a considerable portion of investment for program success. The areas of investment can be broken down as direct and as indirect costs.

Direct v Indirect Costs

Direct	Indirect
Cost of program start-up	Cost of program support by agencies (primarily Police, Fire, and Rescue)
Annual cost of program maintenance	

Management, based on the information received, offers the following management assessment and conditions partly compiled through the technical review and assessment of the proposed program as well as through investigation conducted by management to supplement the review of the proposal as requested. These are:

1. An appropriate level of risk management and loss control be exerted by the City Attorney's Office on program rules/regulations/forms/policies/waivers.
2. All financial/budget rules/regulations must be followed as promulgated by the Finance Department.
3. If any structures are built all environmental rules/regulations must be followed as promulgated by federal/state/local government. Permits will be required for construction of any structure.
4. The Department of Parks & Recreation will operate the program including supervising, coordinating, and directing it. Implementation of the program must be the responsibility of Parks & Recreation in cooperation with the Strategic Planning Commission.
5. If response in addition or in supplement to existing first-responders is desired (and is recommended), then public safety funding levels will need to increase for personnel, training, personal protective equipment (PPE), and tools/equipment.
 - a. City staff can be directed to prepare an accurate budget for this if the program is to proceed. A maximum timeline of 18 months is possible before staff could be trained to a level of proficiency. Fire Department resources devoted to this training would have this in addition to 200+ hours of mandatory training for ISO purposes. Compensatory time balances already approach the maximum allowable in both Fire and Police and additional personnel would be needed to provide coverage for the training time. Additional PPE, lifesaving equipment and similar types of devices will be needed.
6. Adequate and extensive training will be needed for program aides.
 - a. Personnel once on-boarded will be trained prior to initiation of the program.
 - b. Personnel are seasonal and temporary, due to current labor shortages, it is not known whether suitable personnel are available to run this program; a resolution does not exist for this.
7. Conflict over river access, parking, and boat launch/tuber recovery particularly at the Bethlehem Church Road boat landing is possible, this site is open to the general public and outside of the City's control.
 - a. A resolution for this does not exist.
8. The possibility exists that a tuber may overshoot the take-out location or otherwise be caught in a strong current while river access to recover tubers is blocked due to general public use of the boat landing.
 - a. In order to mitigate this possibility, "excursions" could be conducted and be date/time specific. Additionally, the excursions could be guided with a boat in the water to retrieve tubers that overshoot and to help tubers in trouble. Scheduled excursions would assist in knowing when tubers were overdue for the take-out. These mitigating actions may have a negative impact on program participation.
9. Debris exists at the stone piling near Bridge Street and exposed rebar near Leaksville landing that may obstruct, injure or otherwise conflict with tubers in the water.
 - a. Apart from this proposal, staff is working with the Emergency Watershed Protection (EWP) program run by the Natural Resource Conservation Service (NRCS) to address these problems.
 - b. Future debris will need to be evaluated by Department of Public Works in order to determine removal options and commensurate permitting requirements for work in US Army Corps of Engineers jurisdictional waters. Adequate funding of Public Works to include training/tools for force account work and/or availability of contract funds for contractor forces will be needed for clear/snag debris removal operations as necessary.
10. There exists the potential for alcohol to be consumed as part of this program.
 - a. Staff will enforce a zero-tolerance alcohol policy and will not provide ice or coolers for program participants.
11. An appropriate level of risk management and loss control be exerted by the City Attorney's Office on program rules/regulations/forms/policies/waivers.
12. All financial/budget rules/regulations must be followed as promulgated by the Finance Department.
13. If any structures are built all environmental rules/regulations must be followed as promulgated by federal/state/local government. Permits will be required for construction of any structure.
14. The Department of Parks & Recreation will operate the program including supervising, coordinating, and directing it. Implementation of the program must be the responsibility of Parks & Recreation in cooperation with the Strategic Planning Commission.

15. If response in addition or in supplement to existing first-responders is desired (and is recommended), then public safety funding levels will need to increase for personnel, training, personal protective equipment (PPE), and tools/equipment.
 - a. City staff can be directed to prepare an accurate budget for this if the program is to proceed. A maximum timeline of 18 months is possible before staff could be trained to a level of proficiency. Fire Department resources devoted to this training would have this in addition to 200+ hours of mandatory training for ISO purposes. Compensatory time balances already approach the maximum allowable in both Fire and Police and additional personnel would be needed to provide coverage for the training time. Additional PPE, lifesaving equipment and similar types of devices will be needed.
16. Adequate and extensive training will be needed for program aides.
 - a. Personnel once on-boarded will be trained prior to initiation of the program.
 - b. Personnel are seasonal and temporary, due to current labor shortages, it is not known whether suitable personnel are available to run this program; a resolution does not exist for this.
17. Conflict over river access, parking, and boat launch/tuber recovery particularly at the Bethlehem Church Road boat landing is possible, this site is open to the general public and outside of the City's control.
 - a. A resolution for this does not exist.
18. The possibility exists that a tuber may overshoot the take-out location or otherwise be caught in a strong current while river access to recover tubers is blocked due to general public use of the boat landing.
 - a. In order to mitigate this possibility, "excursions" could be conducted and be date/time specific. Additionally, the excursions could be guided with a boat in the water to retrieve tubers that overshoot and to help tubers in trouble. Scheduled excursions would assist in knowing when tubers were overdue for the take-out. These mitigating actions may have a negative impact on program participation.
19. Debris exists at the stone piling near Bridge Street and exposed rebar near Leaksville landing that may obstruct, injure or otherwise conflict with tubers in the water.
 - a. Apart from this proposal, staff is working with the Emergency Watershed Protection (EWP) program run by the Natural Resource Conservation Service (NRCS) to address these problems.
 - b. Future debris will need to be evaluated by Department of Public Works in order to determine removal options and commensurate permitting requirements for work in US Army Corps of Engineers jurisdictional waters. Adequate funding of Public Works to include training/tools for force account work and/or availability of contract funds for contractor forces will be needed for clear/snag debris removal operations as necessary.
20. There exists the potential for alcohol to be consumed as part of this program.
 - a. Staff will enforce a zero-tolerance alcohol policy and will not provide ice or coolers for program participants.

At this time management does not take exception to the program as refined from the original proposal, subject to management oversight, and in particular that the river is not obstacle free at present time and that additional public safety funding is necessary for on-going program support.

Mr. Mendenhall referenced items 1 through 20 but said for the sake of brevity, he would not read them all. He referred Council to the ITRC report which answered the questions as submitted by Council. He commended staff for reviewing the program and taking time over multiple days and meetings to try and find the answers.

Mayor Hall thanked Mr. Mendenhall and the ITRC for answering the questions that were asked. He noted it was not necessarily an action item but was in response to a request for more information.

Council Member Hunnicutt said it may be premature at that point to put a hard number on it, but he noted that Mr. Mendenhall had said the program would need considerable investment. He questioned if that was in terms of additional personnel, training, equipment or all of the above.

Mr. Mendenhall said yes. It was thought there would be substantial training investment required, particularly of the fire and police departments. He said this was highlighted as number five in the memo. They were not sure exactly the detailed budget of what that would cost. Staff could be directed if Council liked for a budget to be prepared for that. Costs included training, personal protective equipment, as well

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as the tools and equipment to do the job so there was an investment number there. They did not know what it was but wanted to bring it to Council's attention.

A motion was made by Council Member Hunnicutt that funding for the tubing initiative be rescinded until such time as staff could identify the additional costs associated with personnel, training, total funding, program logistics and safety. Council Member Kirkman seconded the motion.

Mayor Hall noted this was a motion to rescind the funding approved in December until ...

Council Member Hunnicutt advised it was until the items discussed in the memo dated January 17 from the city manager to Council and the Mayor.

Mayor Hall verified it was the cost.

Council Member Hunnicutt said that was correct.

Mayor Hall said it was a motion to rescind the funding until the total cost was known.

Council Member Hunnicutt said that was fair.

Council Members Hunnicutt, Moore, Nooe, Kirkman, Epps, Underwood voted in favor of the motion to rescind tubing initiative funding until such time as staff could identify the additional costs associated with personnel, training, total funding, project logistics and safety. Council Member Ellis voted against the motion. The motion carried 6-1.

Mayor Hall noted the funding was rescinded until Council found out a total cost. He was assuming that would be an estimate.

Council Member Ellis asked about the funds that had been allocated and then rescinded.

Mayor Hall said the money was Strategic Planning Commission funds.

NEW BUSINESS:

- a. Consideration of a recommendation to sell property located at 886 Morgan Road.

January 4, 2022 memo from Planning & Community Development Director Kelly Stultz: The City has received a bid on the vacant lot located at 886 Morgan Road in the amount of \$4,500.00 from Andrew Arnett. The tax value of the property is \$2,994. An advertisement for the bid ran in the Rockingham Now on December 15, 2021. No upset bids have been received. There are not any unpaid property taxes due on this property. In my opinion, our best outcome is to sell the property and encourage the owner to build a single-family dwelling on the property. Based upon the foregoing information and the fact that we continue to have to mow and maintain the property, I recommend that the City Council accept the bid.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said it was a lot the City owned with a current tax value of \$2,994. A bid had been received from Andrew Arnett for \$4,500. His plan was to build on the property. Staff had advertised and followed all statutory requirements. Staff did recommend that Council accept the bid and sell the property.

A motion was made by Council Member Kirkman to accept the bid of \$4,500 and sell 886 Morgan Road. Council Member Hunnicutt seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

- b. Consideration and adoption of a resolution for calendar year 2022 transportation priorities.

January 10, 2022 memo from City Manager Jon Mendenhall: The City of Eden is represented on the Piedmont Triad Rural Planning Organization (RPO) by a staff member administratively appointed on the Technical Coordinator Committee (TCC) and by one municipal representative appointed from all the municipal leaders of Rockingham County to represent the municipalities on the Technical Advisory Committee (TAC). For calendar year 2022, the City Administration requests that the City Council establish transportation priorities in order to provide a template for City staff and municipal representation to know the priorities of the City of Eden in the calendar year. With this knowledge both TCC and TAC members can inform the transportation prioritization process, make requests of NCDOT, and advocate for the City of Eden based on City Council adopted priorities.

Suggested Transportation Priorities 2022:

1. Feasibility study of US 311 widening to state-line.
2. Update existing NC 14/87 feasibility study to align with I-73 in Virginia (and bridge work that is planned on NC 14 in Eden). a. Current feasibility study attached.
3. Advocacy for transportation connection related to NC 14/87 and US 311 corridors and respective improvements in the Commonwealth of Virginia on Virginia Route 87 and US 311 by NCDOT and other State partners in order to achieve interstate cooperation.
4. Study intersection management at Washington Street/Bridge Street/King's Highway/Boone Road. a. Previous Resolution attached.
5. Rails to Trails conversion of the Norfolk & Western corridor from Church Street to Pervie Bolick Street. a. Will continue to work with railroad on right-of-way. b. Will also work to program in transportation alternative funding (Fixing America's Surface Transportation [FAST] Act funding, Parks & Recreation Trust Fund [PART-F] or similar).

If agreeable to the suggested priorities outlined above, a resolution has been provided for consideration to forward to State and Federal agencies and departments as situations may warrant throughout the calendar year.

Mayor Hall called on Mr. Mendenhall.

Mr. Mendenhall said the memo was presented to address 2022 transportation priorities. The thought process was to take a stab at some priorities that had been discussed. They were not wanting to propose them as the end-all, be-all set of priorities, but wanted to begin that conversation. In calendar year 2022, the RPO would be looking for points to be assigned. The municipal representatives and county representatives would have to go to the RPO meeting and assign some points. They were going to have to have some talking points with NCDOT. The City needed to begin that conversation now so it could be refined and carried forward and they could feel good about what they were asking for. He referenced items one through five in the memo as suggested transportation priorities for Council's consideration. There was no action required at the meeting. Mr. Mendenhall read items one through five from the memo above. He noted there were several bridge projects in Eden on 14, particularly overpasses and that sort of thing that would change the cost of the original feasibility study. As alluded to earlier in the meeting, costs were going up so that study was no longer really valid. He explained that item three was the advocacy component to the Berry Hill Mega Park and also the advocacy component on the City's behalf that NCDOT would have on I-73 in Martinsville and the Martinsville Bypass so that the City was left in those conversations and connecting up in those areas. Regarding item four, he noted previously Council had adopted a resolution to request a study for Washington Street/Bridge Street/King's Highway intersection. Council had been working on item five with various departments and it was to cross the Smith River. He reiterated that he wanted to present these items for consideration to get the conversation started, but these were in no way the end-all, be-all. He wanted to get Council's input and adjust the priorities as necessary.

Council Member Hunnicutt said at the last meeting, he was appointed to serve as Council's representative to the RPO. He had not had an opportunity to dig into the priorities. He was not opposed to any of it but he would like to have a little bit of time to meet with the City's partners, particularly the County and the other cities in the county that may have common interests, such as 311, to try and make sure there was consensus as much as possible with them. He would like to leave it with everyone for consideration to reflect on. He would have a recommendation no later than the March meeting if that was acceptable to everyone.

Mayor Hall agreed it needed to go through the RPO and those types of things. The information was a wish list, what the City would love to have. Council Member Hunnicutt would get a better feel for what to actually put on the list after he attended the meetings.

Council Member Hunnicutt asked if this was the year the City was supposed to update the priorities.

Ms. Stultz advised it was. She said there was a county transportation planning committee. The RPO would be people from Rockingham and other counties. If there was anything big coming up, they tried to work together. In the past, they had advocated for some things for Reidsville.

REPORTS FROM STAFF:

a. City Manager's Report

Mayor Hall called on Mr. Mendenhall.

Mr. Mendenhall wanted to thank staff for responding to Winter Storm Izzy. He thanked the residents for their cooperation. He was pleased to report the City was able to weather the storm. Everything went very well and according to plan. Response was very good. They had to look out for the next winter storm later that week. Everyone got along and worked together very well.

Mayor Hall noted he had extra copies and it was printed in Eden's Own Journal and online.

City Manager's Report - January 2022
City Manager Jon Mendenhall

ADMINISTRATION

Division of Design & Construction Water Main Projects Update

A crew from Haymes Brothers, Inc. began installing a 16-inch diameter water main in an unopened right-of-way on Knott Street, east of a proposed bore under nearby railroad tracks. The crew was able to install approximately 1,820 linear feet of pipe by the end of the month, stopping west of a wet weather ditch near the New Street sewer pump station. The crew is scheduled to work on two bores under railroad tracks during January and possibly make a wet tap on the 24" water main along the east side of S. Edgewood Road. A subcontractor was able to complete the asphalt patching along N. Rickman Street on December 15.

PARKS AND RECREATION

Bridge Street & Mill Avenue Recreation Centers

These two facilities are open Mondays from 1 to 9 p.m., Tuesdays, Wednesdays and Thursdays from 12 to 8 p.m., and on Fridays from 10 a.m. to 6 p.m. Those attending may participate in basketball, track walking, cornhole, or the playground. The Bridge Street center offers tennis courts while Mill Avenue center offers a baseball field.

Bridge Street Recreation Center: basketball games for ages 4 through 7 are being held on Tuesday and Thursday afternoons. A new cornhole league started January 6. The senior center is hosting exercise classes at the center on Monday, Wednesday, and Friday mornings. Meals on Wheels continues to operate out of the nutrition center each weekday.

Mill Avenue Recreation Center: basketball games for ages 8 through 10 are being held on Mondays and Wednesdays at 5 p.m.; games for ages 11 through 12 are being held on Tuesdays and Thursdays at 5 p.m.; and games for ages 13 through 15 are being held on Mondays and Wednesdays at 5 p.m. Pickleball is played on Monday, Wednesday, and Friday mornings at 8 a.m. with games being played on Tuesday and Thursday evenings at 5:30 p.m. Women's winter volleyball starts January 10 with games being played at 7 p.m.

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Freedom Park

Open daily from dawn to dusk, this park offers a walking track, nature trail, skateboard park, basketball courts, playground, dog park, picnic shelters, and an amphitheater.

Garden of Eden Senior Center

The Garden of Eden Senior Center is open weekdays from 8 a.m. to 4:30 p.m. and 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 hosted a class, titled “What Do I Eat?” to help prepare participants for the holidays. It also offered a virtual class in collaboration with Brookdale of Eden. Participants took part in special events such as ‘Bingo and Breakfast’ and a trip to the Natural Science Center to view ‘Winter Wonderlights.’ They also conducted a successful food drive for Salvation Army.

PLANNING & COMMUNITY DEVELOPMENT

Collections

Payments received for code enforcement fees during the month of December consisted of \$6,667.73.

Grants

Three applications were received for the CDBG-COVID grant; two have been submitted to the consultant for review and staff is waiting on remaining documents to be turned in for the third application.

Historic Preservation Commission

Submitted annual Certified Local Government program report to the State Historic Preservation Office.

Inspections and Permits

Total Inspections Performed-December:	100 (not including fire inspections)
Total Permits Issued-December	157

Spray Cotton Mill Local Landmark

Staff is working on the landmark designation report for Spray Cotton Mill.

Tree Board

Submitted Tree City USA annual report and application.

POLICE

All police vehicles purchased under the Police Department’s vehicle capital outlay have been delivered. Parts for the animal control truck have been ordered and are awaiting installation.

The department’s contract with Axon Enterprises has been signed with a rush order placed for implementation of the body worn cameras. The rush order will hopefully put the department in full operation of the body worn cameras by the middle of January followed shortly by the tasers and in-car cameras.

The department is currently conducting its second field test of the Tait TP9600 handheld radio system. The department purchased and installed four Tait TM9400 mobile radios to replace unserviceable systems in the patrol fleet. At the present time, the TM9400 systems have proven to be reliable. Therefore, the department foresees Tait radios as being a viable option for the agency as they move towards the July 1, 2025 Time Division Multiple Access compliance date.

b. Report on advisory committee proceedings.

(1) Strategic Planning Commission.

There was no report.

(2) Planning Organization Boards.

There was no report.

(3) Parks Commission

Mayor Hall called on Staff Advisor Terry Vernon.

Mr. Vernon said the commission had not met that month but they had been meeting with the community as far as merging the athletics throughout Eden. It was going in a positive direction. A public meeting was held January 11 at City Hall. There was not as big a turnout as he would have liked but there were several there interested in baseball coming up. They wanted to get ahead of that and have everyone on the same page. Following that meeting, a meeting was held with the Boys & Girls Club staff. The Boys & Girls Club board would need to provide input. It needed to be beneficial for the community. He wanted to touch base and let Council know they had been meeting and were looking in a positive direction to get everyone on board to have baseball together.

Mayor Hall said he was aware they had been meeting. He had talked with the Boys & Girls Club people as well as Ben Curtis and he appreciated the effort that was being put in to get the partnership worked out. He thought it was the right thing to do.

CONSENT AGENDA:

- a. Approval and adoption of the December 21, 2021 regular meeting minutes.
- b. Approval and adoption of new safety policies (bloodborne pathogen exposure control plan, asbestos program, and respirable silica exposure control plan) as recommended by the Safety Committee

Police Chief Clint Simpson wrote in a memo that the Safety and Loss Control Committee has been reviewing the safety manual in an effort to make updates to stay in compliance all local, state and federal regulations. At a special meeting held on December 15, 2021, the Committee voted to recommend to the City Council that (1) SLC-K Bloodborne Pathogen Exposure Control Plan as amended; (2) SLC-AA Asbestos Program; and (3) SLC-AB Respirable Silica Exposure Control Plan be approved, adopted and made a part of the City of Eden Safety & Loss Control Manual.

A copy of the adopted policies can be found in the Safety and Loss Control Committee.

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

ANNOUNCEMENTS:

Mayor Hall advised the annual Budget Retreat would be held the following morning. It was scheduled to begin at 10 a.m. in the council chambers. He urged people to use caution coming in due to the inclement weather. The meeting would start as soon after 10 as they could convene. He thanked public safety and public works for going above and beyond during the winter storm. There were a lot of streets to scrape in Eden and he asked for patience as staff was working as hard as they could with what they had.

Council Member Epps said regarding the transportation priorities, he hoped what the manager had presented would work out.

Minutes of the January 18, 2022 meeting of the City Council, City of Eden:

Mayor Hall said no one was proposing going against what Mr. Mendenhall presented, but the City needed to find out what may be feasible for them to get some traction with. What was presented were starting points to see what would have traction. That was a great point. Mr. Mendenhall had created the document that gave them a great starting place. He appreciated that.

CLOSED SESSION:

This item was removed from the agenda.

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