

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, February 21, 2017 at 6:00 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	Wayne Tuggle, Sr.
Council Members:	Bernie Moore
	Jim Burnette
	Angela Hampton
	Jerry Epps
	Darryl Carter
	Neville Hall
	Jerry Ellis
City Manager:	Brad Corcoran
City Clerk:	Sheralene Thompson
City Attorney:	Erin Gilley
Deputy City Clerk:	Deanna Hunt
Representatives from Departments:	
News Media:	Gerri Hunt, Eden News
	Roy Sawyers, RCENO

MEETING CONVENED:

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

INVOCATION:

Mr. Wayne Parlier, Pastor, Meadow View United Methodist Church, gave the invocation followed by the Pledge of Allegiance.

RECOGNITIONS AND PROCLAMATIONS:

- a. Proclamation: Black History Month

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, established by American historian Dr. Carter G. Woodson, the original celebration of Black History Week was observed on February 12, 1926.

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WHEREAS, the week was chosen to coincide with the birthdays of Abraham Lincoln and Frederick Douglas. The event inspired schools and communities nationwide to organize local celebrations, establish history clubs and host performances and lectures.

WHEREAS, since 1976, every U.S. president has officially designated the month of February as Black History Month.

WHEREAS, each February we pause to reflect on the contributions of the African-American community to our national and local identity, and Black History Month gives us an opportunity to learn more about this important part of our nation's story; and

NOW, THEREFORE, BE IT PROCLAIMED that I, Wayne R. Tuggle, Sr., Mayor of the City of Eden, hereby designate the month of February be set aside as

Black History Month

in the City of Eden and encourage all 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.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 21st day of February, 2017.

By: Wayne R. Tuggle, Sr., Mayor
City of Eden

SET MEETING AGENDA:

Mayor Tuggle stated that they would need to remove the Closed Session from the agenda.

A motion was made by Council Member Hall seconded by Council Member Carter to set the meeting agenda. All Council Members voted in favor of this motion. This motion carried.

PUBLIC HEARINGS:

a.(1) Consideration of a zoning map amendment request and adoption of an Ordinance to rezone property located at 524 Morgan Road from Business-General to Residential-6. Request submitted by Jesse Griffith. ZONING CASE Z-16-06.

a.(2) Consideration of a Resolution adopting a statement of consistency regarding the rezoning of property located at 524 Morgan Road from Business-General to Residential-6.

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

Ms. Stultz explained that the city had received a zoning map amendment request filed by Jesse Griffith to rezone property at 524 Morgan Road from Business-General to Residential-6. The Planning and Inspections Department recommended approval of the map amendment request. At their January 24, 2017, regular meeting, the Planning Board

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voted to recommend that the City Council approve this request and adopt a Resolution Adopting a Statement of Consistency Regarding the Proposed Amendment.

Mayor Tuggle asked if anyone would like to come forward to speak in favor or in opposition of this request. As no one came forward he then declared the public hearing closed.

A motion was made by Council Member Hall seconded by Council Member Hampton to approve the zoning map amendment request and adoption of an ordinance to rezone property located at 524 Morgan Road from Business-General to Residential-6 and to also approve the Resolution adopting a statement of consistency regarding the rezoning of property located at 524 Morgan Road from Business-General to Residential-6. All Council Members voted in favor of this motion.

**A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
A PROPOSED AMENDMENT TO THE
CITY OF EDEN ZONING ORDINANCE
CASE NUMBER Z-16-06
MAP AMENDMENT**

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

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

WHEREAS, the City of Eden Planning Board received a request to rezone property at 524 Morgan Road from Business-General to Residential-6;

WHEREAS, On January 24, 2017, the City of Eden Planning Board voted to recommend to the City Council that they approve the rezoning request.

STATEMENT OF NEED:

Staff is of the opinion that this request would be appropriate for the subject property because of the character of the area and because there are other Residential-6 properties located adjacent to and near the subject 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.

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

WHEREAS, The Eden City Council has considered the written recommendation of the City of Eden Planning Board and has held a public hearing on the proposed amendment, and the Council desires to adopt a statement describing why the adoption of the proposed amendment is consistent with the City of Eden Land Development Plan, and why the City Council considers the proposed amendment to be reasonable and in the public’s best interest;

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

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

Approved and adopted and effective this 17th day of January, 2017.

CITY OF EDEN

BY: Wayne R. Tuggle, Sr., Mayor

Sheralene Thompson, CMC
City Clerk

REQUESTS AND PETITIONS OF CITIZENS:

Ms. Stella Hepperle, 759 Jefferson Street, Addressed the City Council:

Ms. Hepperle explained that she was there to request that the city change her address. She had been to the United States Post Office to request an address change and they instructed her to come to the city. She explained that it was in reference to her mail being confused with another residence at 759 Preston Street, which was directly behind her.

Mayor Tuggle instructed Ms. Kelly Stultz, Director of Planning & Inspections to meet with Ms. Hepperle to try and assist her with some type of solution.

UNFINISHED BUSINESS:

- a. 2016 Boards and Commissions Appointments

Board of Adjustment - David Everett	ETJ	
Planning Board - Frank Wyatt	Ward 7	Councilman Ellis
Tree Board - Tyra Hinton	Ward 7	Councilman Ellis

A motion was made by Council Member Moore seconded by Council Member Hampton to approve the reappointments to the Boards and Commissions. All Council Members voted in favor of this motion.

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- b. Consideration of the Certificate of Sufficiency by the City Clerk and approval to hold a public hearing on the annexation petitions of property located at 505 Franklin Drive, 509 Franklin Drive, 711 Franklin Drive, 885 Morgan Road, 891 Morgan Road, and 1003 Virginia Street.

Ms. Stultz explained that at their January regular meeting, the City Council instructed the City Clerk to investigate the sufficiency of a petition for voluntary annexation for properties identified as follows:

Address	Owner(s)
505 Franklin Drive	Joseph M. Lane
509 Franklin Drive	Heather Tilley and Garry Tilley
711 Franklin Drive	Kevin Lee Dunn and Marie K. Dunn
885 Morgan Road	Williams J. Artis, Sr. and Patricia A. Artis
891 Morgan Road	Mt. Nebo Primitive Baptist Church
1003 Virginia Street	Thomas J. Wright, Sr., Tanya W. Jones, Lisa Wright Hines, and T. J. Wright, Jr.

With the assistance of the City Attorney, they have determined that proper signatures were placed on the petition and that the owners listed above are the owners of the properties identified on the Petitions. A certificate of sufficiency has been executed by the City Clerk.

She explained that this type of annexation does not have the same requirements as does an involuntary annexation. However, there are requirements with regard to fire service.

She asked that they accept the certificate of sufficiency and call a public hearing for their March regular City Council meeting.

A motion was made by Council Member Carter seconded by Council Member Hampton to approve the Certificate of Sufficiency by the City Clerk and to hold a public hearing on the annexation petitions of property located at 505 Franklin Drive, 509 Franklin Drive, 711 Franklin Drive, 885 Morgan Road, 891 Morgan Road and 1003 Virginia Street to be held in March. All Council Members voted in favor of this motion.

NEW BUSINESS:

There was no New Business at this time.

REPORTS FROM STAFF:

There were no reports at this time.


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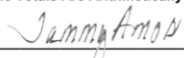
CONSENT AGENDA:

- a. Approval and Adoption of Minutes: December 20, 2016 and January 17, 2017.
- b. Consideration and Approval of FY 2016-2017 Street Resurfacing Contract No. 2, Request to Award Contract.

The bids were received on February 7, 2017 at 11:00 a.m. A total of 4 responsive bids were received for the project. The low bidder was Adams Construction Company in Danville, Virginia in the amount of \$109,252.15. The date of availability for the contract is April 3, 2017.

The Engineering Department is requesting Council’s approval to award the contract to Adams Construction Company based on their bid amount shown above.

 FY 2016-17 STREET RESURFACING CONTRACT, NO. 2 (SRC 2016-17-02) CITY OF EDEN, NORTH CAROLINA BID TABULATION SCHEDULE FEBRUARY 7, 2017 11:00 A.M.											
Bid Item No.	Description	Unit	Est. Qty.	Adams Construction NC License # 20677		Waugh Asphalt, Inc. NC License # 59882		Turner Asphalt NC License # 55042		APAC/Thompson-Arthur NC License # 12459	
				Unit Price	Extended Total	Unit Price	Extended Total	Unit Price	Extended Total	Unit Price	Extended Total
1	Adjustment of Manholes (1.25")	EA	14	\$400.00	\$5,600.00	\$ 350.00	\$ 4,900.00	\$ 375.00	\$ 5,250.00	\$ 900.00	\$ 12,600.00
2	Adjustment of Valve Boxes (1.25")	EA	14	\$390.00	\$5,460.00	\$ 350.00	\$ 4,900.00	\$ 250.00	\$ 3,500.00	\$ 900.00	\$ 12,600.00
3	Asphalt Pavement Full Width Milling (1.25" depth)	SY	8,994	\$1.60	\$14,390.40	\$ 2.62	\$ 23,564.28	\$ 2.10	\$ 18,887.40	\$ 3.60	\$ 32,378.40
4	Asphalt Concrete Surface Course, 1.25" Depth (Type NC SF 9.5A)	TON	919	\$88.25	\$81,101.75	\$ 83.99	\$ 77,186.81	\$ 112.00	\$ 102,928.00	\$ 145.00	\$ 133,255.00
5	Shoulder Reconstruction, Stone	TON	30	\$90.00	\$2,700.00	\$ 85.00	\$ 2,550.00	\$ 100.00	\$ 3,000.00	\$ 180.00	\$ 5,400.00
Total Bid Price (Items 1-5)					\$109,252.15		\$113,101.09		\$133,565.40		\$ 196,233.40

The Lump Sum and Unit Prices in This Tabulation received on February 7, 2017
 Are As Given In The Bidder's Respective Bid Proposals
 And The Totals Are Arithmetically Correct


 Tammy Amos
 Director of Transportation Engineering , City of Eden

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c. Consideration of Proposed Water Main Extension by Dan River Water, Inc., in Whetstone Creek Road Area.

Mike Lemons, Utility Supervisor for Dan River Water, Inc., is requesting that City Council grant approval for the proposed installation of approximately 7,290 LF of 8” water main, 15,555 LF of 6” water main, and 935 LF of 2” water main along Whetstone Creek Road, Bent Farm Road, Westmoreland Road and Farris Drive. Preliminary plans for the proposed project have been prepared by their engineering firm. Approval of the proposed improvement is being requested in accordance with the water purchase agreement between the City of Eden and Dan River Water, Inc.

The improvements are intended to create a loop along Whetstone Creek Road between the existing water main that ends about 510 feet east of Settle Bridge Road near the intersection with Godsey Farm Road, and NC 135. An additional 92 single-family homes could be served by the proposed water mains.

The City Council received a copy of the Engineer’s report prepared by William E. Mitchell, PE, and scanned images of the preliminary plans. It was recommended that the proposed water main improvements to the Dan River Water, Inc. system be allowed to take place.

d. Approval and Adoption of Budget Amendment #7.

The budget amendment is to allocate insurance proceeds received to repair the heating/air system at the Police department due to lightning damage. The Facilities & Grounds building maintenance and repair line item has been increased to account for the expenditures associated with the repairs.

Account #	From	To	Amount
General Fund			
Revenues			
Insurance Proceeds	10-3850-85000	\$ 20,000.00	\$ 50,000.00
			\$ 30,000.00
General Fund			
Expenditures			
Facilities & Grounds M/R Buildings	10-4190-35100	\$85,000.00	\$115,000.00
			\$30,000.00

Appropriates insurance proceeds received for lightning damages at the Police Department.

Adopted and effective this 21st day of February, 2017.

Wayne Tuggle, Mayor

Attest:

Sheralene Thompson, City Clerk

e. Approval and Adoption of Budget Amendment #8

The Police Department purchased sights used by the SRT team from EOTech that were discovered to be defective. EOTech issued a full refund and the attached budget amendment is to allocate that refund. The

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Police Department departmental supplies line item in which new sights will be purchased from has been increased.

Account #	From	To	Amount	
General Fund				
Revenues				
Police Revenue	10-3431-41700	\$ 6,300.00	\$ 10,900.00	\$ 4,600.00
General Fund				
Expenditures				
Police Department Supplies	10-4310-29100	\$18,000.00	\$22,600.00	\$4,600.00

Appropriates refund received from the return of defective sights used by the Police Department.

Adopted and effective this 21st day of February, 2017.

Wayne Tuggle, Mayor

Attest:

Sheralene Thompson, City Clerk

A motion was made by unanimous consent to approve the Consent Agenda. All Council Members voted in favor of this motion.

ANNOUNCEMENTS:

ADJOURNMENT:

A motion was made by unanimous consent to adjourn. All Council Members voted in favor of this motion.

Respectfully submitted,

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

ATTEST:

Wayne R. Tuggle, Sr., Mayor