

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, January 17, 2023 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
	Jerry Epps
	Kenny Kirkman
	Greg Light
	Bernie Moore
	Bruce Nooe
	Tommy Underwood
City Manager:	Jon Mendenhall
City Attorney:	Erin Gilley
City Clerk:	Deanna Hunt
Media:	Mike Moore, Mike Moore Media
	Robin Sawyers, Rockingham Update

MEETING CONVENED:

Mayor Hall called the regular meeting of the Eden City Council to order and welcomed those in attendance, including the media present. Pastor Dennis Clements of First Baptist Church of Draper gave an invocation followed by the Pledge of Allegiance led by Fire Chief Chris White.

COUNCIL MEMBER APPOINTMENT:

- a. Consideration to appoint a Council Member to fill the unexpired term as Council Member representing Ward 6.

Mayor Hall noted that the Ward 6 seat had become vacant. He asked City Attorney Erin Gilley to give a rundown on the process for appointment.

Ms. Gilley said she would review how vacancies and appointments to fill vacancies were stated in the law. North Carolina General Statute 160A-63 said a vacancy that occurred in an elective office of a city shall be filled by appointment of the City Council. That was all state law said about it. It basically gave a mandate to City Council that any vacancies that occurred would be appointed by Council. There was no prescribed process for it, it was up to Council. Some city's codes had a process in them but the City of Eden did not. What theirs did basically was use the state's statute and followed that, basically using the same wording that the vacancy shall be filled by appointment of Council. When staff was made aware of a vacancy in Ward 6, staff notified Council. Her legal advice had been that even though there was no prescribed process or time limit on how long it took to fill, Council should be proactive and not stagnant in the process. That was where they could possibly get in trouble was if the seat was not appointed or if Council stayed stagnant. Staff sent out a notice to the public and posted a notice on the City's website around December 5 that the City would be taking applications for the position. There was at least a two-week period for applications to be received. At that time, wanting to comply with the statutes, set the appointment vote for Council, that had to take place in open session, for the next agenda, which was that night. The rest was up to Council in how they appointed the position. They were there currently, the first month after the applications had been received, with the item on the agenda.

Council Member Underwood asked if in the future, Council could have an interview process with each candidate.

Ms. Gilley advised they could do that and there were communities who did. Council could be as extensive as they wanted or not. Her only recommendation to Council was that any interview process that was done with at least four members should be in open session, open to the public. Just as a matter of fairness to all candidates who wanted to apply, the same

questions should be asked in the same amount of time. It needed to be a fair process to all applicants. Council could go that additional step but just needed to make it a fair process for everyone.

Council Member Nooe said at the next meeting or two, he would like Council to discuss how the process worked and have Ms. Gilley develop a policy with direction from Council so next time the issue came up, Council would have a policy in hand.

Ms. Gilley said she could definitely do that. She knew other communities had them so they could take a look at those. She could send them to Council for their direction on how they wanted that to work.

Mayor Hall thanked Ms. Gilley for the explanation. He said the process had been open for applicants. Seven were received. He wanted to thank everyone who did apply. It took a lot to even be willing to serve in that capacity. He appreciated everyone. They had some fine candidates. Council had met amongst each other, talked with staff and talked with the candidates. A lot of them had. He thought they were ready to move on and fill the seat to get back to work as a full Council.

Council Member Epps made a motion to nominate Greg Light with the explanation that all the applications were very good. There was a lot of good insight. Some of the applicants could be used in the future. He thanked everyone for applying. Council Member Moore seconded the motion. Council Members Epps, Moore, Ellis, Nooe and Underwood voted in favor of the motion. Council Member Kirkman voted in opposition. The motion carried 5-1.

b. Introduction of the Honorable Judge Stan Allen and swearing in of newly appointed Council Member.

Council Member Light, with his wife Wendy by his side, affirmed the oath read by Judge Allen: I do solemnly affirm that I will support the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as a Council Member of the City of Eden, so help me God.

Council Member Light said it was funny how you could have a plan in life and God changed the plans. His plan had been to run for the seat in November and it had happened earlier than he had anticipated. He thanked Judge Allen. They had been friends a long time and he thanked him for being a part of it. He thanked Mayor Hall and the members of Council for their support. He would always do his best for making decisions for the citizens and the staff. As everyone who knew him was aware, his family was very important to him. His daughter Hannah would have been at the meeting but she was busy in grad school. His son was a starting point guard for Community Baptist School in Reidsville and their game tipped off at 7:15. If they noticed his wife leave, she was leaving to watch their son play basketball. He had always tried to teach his children that when you were part of a team, you needed to give it everything you had to that team and always do what was right. He noted that his wife had always been by his side in any decision he made, big or small, and that was a big decision. They did not take it lightly, he promised that. He would do what was right and always make the best decisions. He thanked everyone.

#### PROCLAMATIONS AND RECOGNITIONS:

a. Proclamation: Black History Month

Mayor Hall read the proclamation.

#### PROCLAMATION: Black History Month

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

Minutes of the January 17, 2023 meeting of the City Council, City of Eden:

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

Whereas, we remember and celebrate the lives of 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 2023 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.

Adopted this 17<sup>th</sup> day of January, 2023.

By: Neville Hall, Mayor  
Attest: Deanna Hunt, City Clerk

#### AUDIT REPORT:

a. Presentation of the 2021-2022 Audit by Rouse, Rouse, Rouse & Gardner.

Mayor Hall called Trevor Gardner, CPA, forward.

Mr. Gardner said he would be presenting the audit instead of Judy Rouse, who had presented it to Council in the past as they were having a little changing of the guard. In past years, Council had flipped through the audit as it was presented. It was reduced the prior year and this year, it was being presented on the screens to make it a little easier to follow. If Council did not like that, it could be changed. Council had been given copies of the audit report and any letters prior to the meeting that they should have had time to review. He wanted to discuss overall audit considerations, the types of audits that were performed that year.

Mr. Gardner went through the PowerPoint presentation and explained the audit was conducted in accordance with the following:

- Auditing Standards Generally Accepted in the United States of America – this was required in North Carolina for all municipalities
- Government Auditing Standards (Yellowbook) – this was required if more than \$100,000 was spent in federal and state money which the City did do.
- The State Single Audit Implementation Act – this was required if \$500,000 or more was spent in state money.
- 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 – this was required if \$750,000 was spent in federal money, which the City did.

He explained that all four of those reports had to be issued with the financial statement. He read from the next slide, the Auditor Opinion: In our opinion, based upon our audit, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of City of Eden as of June 30, 2022, and the respective changes in financial position, and cash flows [where applicable] thereof and the respective budgetary comparison for the General Fund and the ARPA Fund, for the year then ended in accordance with accounting principles generally accepted in the United States of America. He noted that slide was important because it was the basis of the audit. Basically, it was saying it was a clean audit, a good report, which was what they strove for every year when doing the audit. The next slide detailed some additional audit considerations: The Eden ABC Board financial statement

was presented as a component unit of the City of Eden. This report includes financial information from the following actuarial studies: Law Enforcement Separation Allowance; OPEB or Other Post Employment Benefits; and Local Government Retirement Pension and Law Enforcement Retirement.

Mr. Gardner said the next slide showed four lines he really wanted to call out:

	2022	2021	Difference	% Change
Cash	\$10,661,659	\$10,340,759	\$320,900	3.10%
Total Liabilities	\$949,508	\$689,121	\$260,387	37.79%
Fund Balance available for appropriation	\$8,720,082	\$9,243,232	(\$523,150)	-5.66%
Total Fund Balance	\$12,378,104	\$12,402,153	(\$24,049)	-0.19%

He explained cash increased over last year and total liabilities were up. They all knew with the economic climate they were in everything cost more. The fund balance available for appropriation was really an unassigned balance. They could see it was 523 down but that was not indicative of the overall financial health. If they looked at what was budgeted for next year, they really needed to look at those two numbers and they would find there was actually an increase in the unassigned fund balance. There was a slight loss in the total fund balance and he would explain that in the following slides. The City paid off a large amount of debt including principal and interest. That was going into that number compared to prior years.

Mr. Gardner went to the next slide which highlighted the three months working capital policy. He explained the City was far over the minimum required.

- During the 1998-1999 fiscal year, the council voted to require 3 months working capital.
- Total Expenditures (pg 103) - \$17,348,367 divided by 12 multiplied by 3 = \$4,337,092.
- Total Unassigned Fund Balance is \$8,720,082 (pg 87) or \$4,382,990 higher than the policy requirement.

The next slide detailed fund balance maintained by municipalities. This was the metric used by the Local Government Commission to compare similar units. They took the total fund balance available as a percentage of net expenditures for similar units. The LGC had their own calculation but ultimately what they got was the fund balance available, which for the City was 58.26 percent. An average for similar units based on expenditure was 46 percent. The City was better than the average for similar units by 12.26 percent. It was a good thing as they had more fund balance if they wanted to use it on expenditures.

- The Local Government Commission states the fund balance available is comprised of amounts shown as restricted, committed, assigned or unassigned.
- Total Fund Balance Available - \$9,849,211 – Per LGC
- Total Expenditures - \$16,906,146 – Per LGC
- Fund Balance available for expenditures – 58.26%
- According to the Local Government Commission, the average total fund balance available as a % of Net Expenditures for similar units is 46%. The City of Eden is above the state average by 12.26%.

Mr. Gardner explained the next slide was a budgetary comparison. He wanted to focus on the last sentence that no departments in the General Fund spent over their budgeted amounts. No departments went over their budgetary allotment. That was thanks to Finance, department heads, management and Council. They were being attentive to the budget and making sure there were no violations.

	Budget	Actual	Favorable/ (Unfavorable)	Page #
Total Revenues	\$15,986,000	\$16,867,355	\$881,355	89
Total Expenditures	\$18,896,600	\$17,348,367	\$1,548,233	103

- Note: The City received \$456,961 from American Rescue Plan Act funds that are not included in the revenue amount above. No departments in the General Fund spent over their budgeted amounts!!!

He said the next slide presented a comparison of expenses between 2022 and 2021. He wanted to focus on the third line item, proceeds and transfers. In 2022, the amount was \$456,961. That was the American Rescue Plan Act (ARPA). The prior year, it was \$1,983,594 almost all of which was loan proceeds. They did not have a large loan to fill the gap of any expenditures they had to buy. If they coupled that with additional expenditures related to principals and interest to reduce the debt, then they could see why the last line revenue over expenditures was almost break even really. If you looked at the very last line, it was a 41 percent reduction in the total General Fund long-term debt based on the payments made the last year. He had always found that to be good fiscal policy because you were reducing the debt.

	2022	2021	Change	% Change
Total Revenues (pg 89)	\$16,867,355	\$16,741,499	\$125,856	1%
Total Expenditures (pg 103)	(\$17,348,367)	(\$16,974,895)	\$373,472	2%
Proceeds from Loans & Transfers (pg 103)	\$456,961	\$1,983,594 *	(\$1,526,633)	-77%
Revenue over Expenditures (pg 103)	(\$24,051)	\$1,750,198	(\$1,774,249)	-101%

- PY Fire Training Facility Capital Projects – Loan Proceeds of \$1,942,892
- The City made total debt payments of principal and interest of \$2,671,926 (included in the total expenditures above), which can be found on page 103. One focus of the City during 2021-2022 was to pay off a large portion of outstanding debt. The City reduced the total debt from \$6,037,702 at June 30, 2021 to \$3,543,371 at June 30, 2022, a total reduction of \$2,494,331 or 41% reduction of the total general fund long-term debt found on page 76.

Regarding ARPA, Mr. Gardner said the purpose of the funds were to help with the economic effects of Covid-19. The City received a total of \$4,744,130 of these funds. The table showed how the funds were used. Anything not used was carried over on the balance sheet as a liability until it was used. They would see a big liability if they looked at the balance sheet for ARPA.

- This is a new fund starting in 2021-2022. The purpose of the American Rescue Plan act fund is to account for federal funds awarded to assist with the recovery of the economic and health effects of the COVID-19 pandemic.
- Eden was allocated a total of \$4,744,130 of these funds. Below shows where the amount of the funds used during 2022. This can be found on page 105.

	2022
Revenue	\$580,790
Transfer to general fund	(\$456,961)
Transfer to water & sewer fund	(\$123,829)
Net Change	\$0

On the Water and Sewer Fund balance sheet, cash was up \$223,045 while assets showed a decrease of \$770,075. It was a decrease of one percent because the timing of reimbursements from funding of grants. That money would hit later in 2023. The net position difference was the increase, or profit, for the year. Even with the decrease in EPA reimbursements, they were still showing gain.

	2022	2021	Difference	% Change
Cash	\$4,060,901	\$3,837,856	\$223,045	6%
Total Assets and Deferred Outflow of Resources	\$82,042,680	\$82,812,755	(\$770,075)	-1%
Net Position	\$60,799,407	\$60,542,677	\$256,730	0%

- Note: Please refer to page 112 of the report for full statement. The Water and Sewer Fund balance sheet includes Mega Park Capital Project Fund and the EPA/AOC Capital Project Fund. Please see the slide 17 for funding sources for these two funds.

Mr. Gardner explained the next slide showed an income statement comparing the two years. On the second line highlighting capital contributions from grants, that went back to what he just talked about regarding the timing of reimbursements being submitted. It did hit the net income line from \$4,615,635 in 2021 to \$256,730 in 2022. That being said, it was still positive.

	2022	2021	Difference
Operating Revenues (pg 113)	\$9,422,190	\$9,952,215	(\$530,025)
Capital Contributions from Grants (pg 113)	\$1,307,403	\$4,580,633	(\$3,273,230)
Operating Expenses (pg 113)	\$10,387,770	\$9,973,184	\$414,586
Non-Operating Expense – Interest (pg 113)	\$118,122	\$143,787	\$25,665
Net Income (pg 113)	\$256,730	\$4,615,635	(\$4,358,905)

- Note: The operating revenues decreased due to the leachate processing billing decrease from Duke Energy and decreased large customer consumption during the year.
- Capital Contributions are down primarily due to the timing of the grant reimbursements received for the EPA/AOC capital project fund.

He said the next slide showed the funding sources for the EPA and the Mega Park. They were big projects so they just wanted to show the money that came in through June 30, 2022. Half of the EPA was loan and half was grant so half would have to be paid back. The \$1,052,680 in loan proceeds for the Mega Park had to be paid back.

EPA AOC Remediation Plan – pg 129		Mega Park Funding Sources – pg 127	
NC Connect Bond Grant	\$532,762	Drinking Water Reserve Grant	\$350,894
NC Connect Bond Loan	\$532,761	General Assembly Appropriation	\$289,376
Miscellaneous Revenue	\$0	Loan Proceeds	\$1,052,680
Total	\$1,065,523	Total	\$1,692,950

Mr. Gardner said the next slide showed the Water and Sewer Fund budgetary information. The important information was the last sentence – no departments in the Water and Sewer Fund spent over their budgeted amounts. There were no budgetary violations.

- Details of the budgetary Water and Sewer Fund can be found on pages 116-124.
- No departments in the Water and Sewer Fund spent over their budgeted amounts!!

He said the next slide was additional items. The debt was \$19,546,945, which he pointed out to say the legal debt margin was eight percent of the total assessed property valuation \$926,311,740. If they wanted to, the City could have debt of \$74 million. He would advise not to get in situation where they did that. The existing debt was far below.

- Included in the footnotes is an analysis of construction proposed commitments in effect as of June 30, 2022 and extending to 2024. Please see page 44.
- The details relating to long-term debt appear on page 76. The installment purchases total \$19,546,945 (interest and principal) at June 30, 2022. This amount consists of \$3,543,371 of debt for governmental activities and \$16,003,574 for water and sewer activities.
- Legal Debt Margin is 8% of the total assessed property valuation of \$926,311,740, found on page 136, or \$74,104,939, which can be found on page 74.

He read the bullets from the next slide and noted 98 percent was really good for collecting on taxes.

- On page 136, you will find a current tax levy analysis.
- The current year's collection rate was 98.68%.
- The state average collection rate for 2021 in the City's population range was 99.23% excluding vehicles.

The next slide was regarding the EPA Administrative Order of Consent. It was better than Council continue to monitor it as they had been. He noted the deadline had been extended to December 31, 2024 unless there had been an update since the material was gathered. They wanted to remind staff to do timely request reimbursements of grant and loan funds, at almost the same time expenses were going out if possible.

- On page 78, there is a footnote concerning the EPA Administrative Order of Consent. It is imperative that the council follow the progress of the bid process and construction related to this mandate to ensure compliance with the extended deadline of December 31, 2024.
- We would like to remind the staff to timely request reimbursements of grant and loan funds.

Mr. Gardner explained the slide detailed the Governmental Auditing Standards. If they spent \$100,000 or more of state or federal money, they were required to have an audit on their standards. He read the bullets of the slide. In other words, it was a good report.

- 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 can be found on page 139.
- Our audit was not designed to identify all deficiencies in internal control.
- No significant deficiencies or material weaknesses were noted during 2021-2022.
- The results of our tests found no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

This next slide was about the Single Audit – State Single Audit Act. Mr. Gardner explained this was required if the City spent \$500,000 or more of state funds. He read the auditor's opinion. Again, it was a good report.

- Due to the significant amount of state grants/loans received during 2021-2022, 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 – Pages 141-142
- Opinion on Each Major State Program – pg 141  
In our opinion, the City of Eden 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, 2022.

This slide was about Uniform Guidance – Federal Single Audit. Mr. Gardner explained that was required if the City spent \$750,000 or more of federal money. The City was allowed to have an alternative compliance examination engagement conducted in lieu of a full single audit because of all the Covid money coming out. He read the opinion from the slide.

- Due to the amount of federal government money expended (greater than \$750,000) during 2021-2022, the City was required to have an audit conducted in accordance with Uniform Guidance.
- The City was allowed to have an "Alternative Compliance Examination Engagement" conducted in lieu of a full single audit. A copy of this report was separately provided with a copy of the audit report.
- The examination was reduced in scope as compared with a full single audit but we are still required to give an opinion on compliance with specified requirements:
- "In our opinion, City of Eden complied, in all material respects, with the specified requirements referenced above during the year ended June 30, 2022."

He noted the management letter said there were no disagreements with management regarding the audit. He thanked the staff they worked with, including Finance, Assistant Finance Director Amy Winn and Finance and Personnel Director Tammie McMichael. It was amazing to say. On a day-to-day basis, it was hard enough for people to get their jobs done much less with an auditor asking questions about transactions and invoices. Everyone was pleasant and they enjoyed working with everyone. It was very helpful.

Mayor Hall thanked the firm for their constant help with the City working with the Finance Department. They may as well say Mr. Gardner worked there because he was there all the time. They appreciated them doing the work. He noted the City was still paying a lot of money for the EPA Administrative Order and it would take them years to get over that. Five years ago it was a \$40 million estimate and it had probably doubled by now. The City was chipping away at it. He wanted to thank Mr. Mendenhall. His strategy with funds had been a financial boost to the City in paying off loans. They were doing pay as you go and 10-year plans for equipment that would have to be replaced. They had made a lot of positive steps as far as managing the money and the audit obviously showed it was all working pretty well.

Mr. Gardner thanked Council for giving the firm an opportunity to continue.

Council Member Ellis thanked the Rouses for attending and for bringing Mr. Gardner. He was a pleasant young man to see again.

SET MEETING AGENDA:

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

PUBLIC HEARINGS:

- a. (1) Consideration of a zoning map amendment request and adoption of an ordinance to rezone approximately 89 acres off of S. Edgewood Road from Residential 20 to Residential Mixed Use. (2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment.



ZONING CASE  
Z-22-07  
AERIAL MAP



Part of PIN's:  
7080-19-61-1372,  
7080-19-61-5025 and  
7080-19-72-4269

Zoned:  
Residential 20  
Request:  
Residential Mixed Use

Planning and Community Development Director Kelly Stultz wrote in a memo: The City has received a zoning map amendment request filed by Kenan Wright, Agent for the property owners, Homer E. Wright, Jr., MG Holding, LLC and Meadow Greens Place LLC to rezone approximately 89 acres off of S. Edgewood Road. The request is to rezone the property from Residential-20 to Residential Mixed Use. The Planning and Community Development Department recommends approval of the map amendment request. At a regular meeting in October, the Planning Board voted to recommend that the City Council approve this request.

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

Ms. Stultz said the request was received from Mr. Wright, MG Holding and Meadow Greens Place LLC. The Planning Board received the request at their meeting and voted unanimously to approve it. Staff had done a considerable amount of review on the property. Most of the property was contained on the golf course. Some of it was available for redevelopment. A large portion of the tract was currently zoned Residential 20 (R20). The portion that was the former country club property was zoned Neighborhood Mixed (NMX). The applicant had requested Residential Mixed Use (RMX) and the property was currently R20. RMX was established to accommodate a variety of housing types in a neighborhood setting and was intended



to provide areas for higher density residential development near commercial areas such as the Business Central (BC), NMX and Business Highway districts. The intent was to create higher density residential areas that complimented commercial districts with physical proximity and pedestrian activity. She showed a PowerPoint slide of the table of permitted uses for RMX from the Unified Development Ordinance (UDO). It did allow multi-family, which were three or more units as a use by right. In other districts, BC for example, it was allowed with standards. It allowed single-family detached and attached, bed and breakfast, medical clinics, personal care service, bar/tavern/microbrewery, general commercial. The golf course would require a special use permit now. Open air retail, outside sales. One of the things they knew about the community at the moment was that they did have some housing issues. There was a need for new housing and housing to be redeveloped. She showed a slide of the property zoning from 2020 where it was about split between Office and Institutional (O&I), which was a district they no longer had, and R20. The neighborhood on Bermuda Drive was a R20 PUD and a special use permit and had to stay that way. The housing in and around those houses would stay R20 PUD. The people who lived on Pinewood and those areas would remain that way. The district was important to allow for mixed use housing. The topography of the golf course was such that the tracts that were available had some topographical issues and would promote good quality development. The City did need new housing in the community. Both she and the Planning Board recommended in favor. Before the UDO was adopted, new residential housing could be built without building roads and paving streets. It could be done without curb and gutter or building sidewalks. There were a whole lot of development standards that were required for any type of residential development or any other type of development but when you thought about having to provide 60 feet wide rights of way and having to build sidewalks and all those things, there was a considerable cost associated with that for new development and it also would reduce the number of dwelling units. She had been asked the question and felt honor bound to tell Council that RMX would allow 18 dwelling units per acre.

As there were speakers signed up to address Council for the public hearing, Mayor Hall asked City Attorney Erin Gilley to read the City's policy for speakers.

Ms. Gilley read the policy.

Bo Rodenbough wanted to clarify if he was limited to three minutes.

Ms. Gilley advised he was not.

Mr. Rodenbough, 1720 Madison Avenue, Greensboro, said he and his law partner Alex Elkan were partners in the law firm of Brooks Pierce. They were appearing at the meeting on behalf of Kenan Wright, in his capacity as agent and individual, and two LLCs – the Wright Family LLC, composed of Wright family members, and he had also filed the zoning petition on behalf of his father Homer Wright. As Ms. Stultz had said, there were portions of three adjoining tax parcels that were currently zoned R20. They were located near the corner of Stadium Drive and South Edgewood Road but none of the parcels actually touched on either of those roads. As most of them knew, Mr. Kenan Wright could not appear at the public hearing because of his continuing cancer treatment. He would like to be there but the treatment he was engaged in compromised his immune system so that was the reason he was unable to appear there himself. Amelia Dallas, who was Mr. Homer Wright's personal secretary, was there at the meeting as a representative of the Wright family but she would not be speaking. As Mr. Kenan Wright had repeatedly communicated, either directly or through his representatives, to community members and Council, as well as Ms. Stultz as planning director, the Wright family did not wish to seek the current zoning map amendments for the purpose of any change of the use of the property from its current use as a golf course. Instead, the Wright family sought the zoning map amendment to correct what the Wright family believed was an administrative error made by the Planning staff and City Council when it rezoned the property from its O&I classification under which the property was zoned in the prior zoning ordinance in place from the 1970s until the end of 2020 at which time the property was assigned a new classification, R20, in conjunction with adoption by City Council of a comprehensive land development ordinance made effective January 1, 2021. The administrative error had the effect of downzoning the property to a more restrictive use classification that was not sought by either the property owners or any adjoining property owners. Moreover, the change in zoning classification was made without a public hearing on this specific property in its use or other consideration by the City Council as the appropriate zoning classification for this particular property. As evidence of that, Mr. Rodenbough went to the slide that showed the base zoning districts under the new land development ordinance and Ms. Stultz had highlighted the RMX district, which they were seeking a zoning map amendment to that night. Immediately

below that was the NMX district and that was a new zoning classification adopted as part of the comprehensive land development ordinance adopted January 1, 2021. That district showed it was intended to be used in place of prior districts under the old zoning ordinance of O&I, among others. They believed the intention in adopting the comprehensive land development ordinance January 1, 2021 should have been to rezone the O&I tract to an NMX use rather than the R20 use it was assigned. It was understandable given the fact, as Council had discussed before, Ms. Stultz was called upon to assign zoning reclassifications to some 800 parcels in the City and in somewhat of a time crunch in order to meet the state mandate for adoption of the land development ordinance. They believed the proper zoning for the property should have been NMX rather than R20. If you went to the map that showed the prior zoning that had been in effect since the mid-70s, you would see the parcel they were now seeking to rezone was zoned O&I, and under that zoning, the regulations that were in effect through December 31, 2020, among the permitted uses were barber and beauty shops, garden and lawn shops, funeral homes, golf courses, hospitals, colleges, churches, public and private schools, offices for business, government, medical, professional, union, civic, charitable, political, fraternal and social and religious, parking lots, private clubs or recreational facilities, public recreational facilities, swim and tennis facilities, communications towers, and most importantly, it permitted any use permitted in the R20, R12 and R6 residential districts. If you compare that now to the use table under the current zoning, you would see that the principal difference between the O&I and uses permitted under the RMX being proposed as a new amendment as compared to the R20 was that the RMX permitted multi-family uses which would have been permitted under O&I, and duplex uses and townhomes. The RMX district permitted, as did the O&I, office and small retail uses. You could see that at the top of the second page law use table, medical offices, personal care services, professional offices and services, and then under commercial entertainment, bicycle sales and repair and general commercial less than 50,000 square feet. Those were the principal differences between R20 district that the property was currently zoned under the new land development ordinance and both the O&I that it was zoned back to the 1970s and the RMX district now being sought. They believed, as the Planning Board and Ms. Stultz had stated, it was entirely appropriate and indeed consistent with both adoption of the new land development ordinance and the comprehensive plan that was adopted in 2022 for the property to be rezoned from R20 to RMX. Council had received a copy at their seats but he had put a board up for members of the audience to see the overview of the former the O&I in the red outline they were now proposing be rezoned to RMX.

Mayor Hall thanked Mr. Rodenbough for the presentation and called on the next speaker.

Rocky Turner, 523 Bermuda Drive, said they could see there were a lot of people in attendance, and many of them were from The Fairways area. He was not against progression. He thought a lot of people were concerned with was the unknown. He could understand someone wanting to do something with the property. When they had built the place located on Bermuda over a year before, they chose that site because of certain reasons. He thought there was concern about what could be there. He thought that was the concern there with a lot of the neighbors, the unknown. He did not think anyone did not want to see a lack of progression for the City. He was for it. He appreciated the previous speaker giving them a little more insight. He knew a lot of people had questions. That was the biggest thing and he thought that was the biggest reason they had a lot of people there. They were concerned. They did not see a plan. They knew what things could be.

Council Member Light asked Ms. Stultz if there would still have to be a development plan approved by her office before anything was done.

Ms. Stultz said yes. Before any property could be subdivided, they would have to come through with a subdivision plat and go through all the processes. O&I and RMX were very similar. What O&I required for multi-family housing was a special use permit whereas RMX did not. Council had used R20 as a holding zone over the life of the land use regulations. She had encouraged the property owners to bring in a plan such that everyone who lived around it, and staff, could know what their intentions were; however, the law said they could come in and ask for anything that they wanted. She could assure Council she did believe the mixed-use development would be appropriate for some of that property. She noted that O&I came in in the 1980s.

Council Member Underwood wanted to verify that a plan had not been submitted.

Ms. Stultz said it had not. By right, the owner did not have to. He could ask straight up to have it rezoned.

Council Member Underwood asked what her opinion was.

Ms. Stultz said as she stated either, she had recommended in favor of the rezoning because that was the type of property that their ordinance would like to see, for example, single family attached housing similar to The Fairways. The topography, particularly the part that used to be Gallagher's Way, would be very conducive to doing that type development. The property that was in The Fairways PUD would stay in it. None of this issue would touch them at the moment; however, there were some uncertainties. She knew that the City needed different housing types and needed to provide housing to people coming to the community including for people who already lived in Eden. She would do whatever Council directed.

Council Member Epps said Ms. Stultz was saying if the owner decided to do something with the property he would have to submit a plan and any surrounding property owners would have an opportunity to object it or accept it.

Ms. Stultz said yes, for a subdivision plat; however, all the uses that were allowed in residential mix by right, which meant they could come in and make an application, would have to be approved. They subdivide it, they would do anything on there in it. All of the commercial things that were in RMX were allowed in O&I. The biggest difference was in the old ordinance. Multi-family could do done in O&I with a special use permit. Now there were districts where it was allowed as a use by right and she thought that was correct. The issue was it was up to Council to decide if that was what they wanted to see on the property or how they wanted it handled going forward. If someone came in and wanted to cut off 10 acres and put multi-family on it, they could do that and she would have to give them the building permits to do it.

Council Member Underwood asked if the issue could be approved with special conditions.

Ms. Stultz advised no. The City had conditional use zoning that had they applied, the City could negotiate some things that may make the application more amenable for both the property owners and others who had some concerns. It was something they had never had before the UDO and they had an application. It was the kind of thing that would serve that well but Mr. Wright had every right to come in and apply for a rezoning because that was what the law said. That still left the decision making with Council.

Council Member Moore asked if they were going to do a subdivision if they would be the ones setting the standards of determining the house and lot size.

Ms. Stultz said in RMX, it could be a bit flexible with allowances for open space; however, you had to remember that all the uses that were allowed in O&I predominantly were allowed in RMX, which she was fine with, but it did allow for some things as a use by right that it did not before. Had they come in with a plan for 40 acres and decided what they wanted to do, if they came through and wanted to do a single-family subdivision, it would come through just as a subdivision with it zoned R20 and it had to be 20,000 square foot lots. There were a lot of things to consider. The new ordinance was more flexible to promote good development but like anything else that was done, they had to think about both sides of an issue. Again, she supported the rezoning but she had listened to a lot of people's concerns.

Council Member Kirkman said it was his understanding there were no plans. He asked if that was correct.

Ms. Stultz said none that she had seen and she had asked.

Council Member Kirkman asked Mr. Rodenbough if that was what he had said.

Mr. Rodenbough advised that was correct.

Council Member Underwood asked if the Planning Board had approved it.

Ms. Stultz replied yes.

Council Member Ellis said he wanted to abstain from voting.

Ms. Gilley said that Council Member Ellis had spoken with her earlier about a potential conflict of interest he had in the case. She asked him if that was correct.

Council Member Ellis said yes.

Ms. Gilley said he was going to recuse himself from any votes and discussion on the matter.

As there were no further comments or discussion, Mayor Hall closed the public hearing.

A motion was made by Council Member Underwood that the issue be sent back to Ms. Stultz for further information gathering and trying to resolve any problems citizens may have. Council Member Moore seconded the motion. Council Members Underwood and Moore voted in favor of the motion. Council Members Epps, Light, Nooe and Kirkman voted against the motion. The motion failed 2-4.

A motion was made by Council Member Kirkman to amend the zoning map and adopt an ordinance to rezone approximately 89 acres off of S. Edgewood Road from Residential 20 to Residential Mixed Use and to adopt a resolution of a statement of consistency regarding the map amendment. Council Member Nooe seconded the motion. Council Members Epps, Light, Nooe and Kirkman voted in favor of the motion. Council Members Moore and Underwood voted against the motion. The motion carried 4-2.

#### AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF EDEN

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

Section 1 - Change from Residential 20 to Residential Mixed Use the following property:

BEGINNING at an iron stake marking the southwest corner of Lot 6, Section C of a map entitled "Tri-City Meadow Greens Development" prepared by W. T. Combs, C.E., December 31, 1955, revised July 10, 1957, and recorded in Map Book 7, page 140; thence with the rear lines of Lots 1 – 6, Section C, and a 60 foot road easement as shown on the above referenced map, South 03 deg. 21 min. 18 sec. West 660.03 feet to an iron stake marking the southwest corner of Lot 25, Section B, Tri-City Meadow Greens Development; thence with the rear lines of Lots 19 – 25, Section B, and a portion of Lot 18, Section B, South 03 deg. 21 min. 18 sec. West 755.60 feet to an iron stake in the rear line of Lot 18, Section B; thence with the south line of Parcel A as shown on a Composite Map for Peter F. Osborne, John Smith, Jr. & Homer E. Wright, Jr. recorded in Map Book 41, page 82, North 69 deg. 49 min. 48 sec. West 259.60 feet, North 77 deg. 26 min. 28 sec. West 206.95 feet, North 13 deg. 28 min. 51 sec. West 72.96 feet and South 69 deg. 21 min. 22 sec. West 414.19 feet to an iron stake; thence North 20 deg. 34 min. 49 sec. West 60.50 feet to an iron stake marking the south east corner of Lot 7, Section A, Tri-City Meadow Greens Development; thence with the rear lines of Lots 2 – 7, Section A, South 69 deg. 22 min. 54 sec. East 600 feet to the rear corner for Lots 1 and 2, Section A; thence South 20 deg. 39 min. 03 sec. East 122.32 feet to an iron; thence South 69 deg. 22 min. 54 sec. West 128.39 feet to an iron marking the center line of Moir Branch; thence South 19 deg. 17 min. 37 sec. West 14.03 feet to an iron stake; thence South 48 deg. 22 min. 37 sec. East 71.93 feet to an iron stake; thence with the south line of the Meadow Greens Country Club, Inc. as shown on the Composite Map, South 69 deg. 21 min. 36 sec. West 1,153.29 feet to an iron stake; thence South 2 deg. 36 min. 07 sec. West 607.37 feet to an iron stake; thence South 48 deg. 49 min. 37 sec. East 500.66 feet to an iron stake; thence South 30 deg. 36 min. 57 sec. West 405.49 feet to an iron stake; thence South 6 deg. 20 min. 20 sec. East 520.23 feet to an iron stake; thence South 86 deg. 38 min. 42 sec. East 779.28 feet to an iron stake; thence North 10 deg. 14 min. 41 sec. East 1,250.43 feet to an iron stake; thence South 86 deg. 38 min. 42 sec. East 394.57 feet to an iron stake; thence North 32 deg. 17 min. 36 sec. East 92.15 feet to an iron stake; thence North 04 deg. 35 min. 17 sec. East 190 feet to an iron stake marking the northeast corner for Easement 6 (Map Book 41, page 82); thence with the north lines of Easements 4, 5 and 6, South 85 deg. 24 min. 43 sec. East 140 feet, North 81 deg. 34 min. 25 sec. East 118.72 chord distance, 119.75 arc distance, North 56 deg. 00 min. 36 sec. East 114.54 chord distance, 115.46 arc distance, North 43 deg. 27 min. 42 sec. East 53.49 feet and North 43 deg. 27 min. 42 sec. East 124.07 feet to an iron stake in the west line of Parcel B (Map Book 41, page 82); thence with the west line of Parcel B, South 19 deg. 21 min. 43 sec. West 447.99 feet to an iron stake; thence South 15 deg. 45 min. 35 sec. East 88.77 feet to an iron stake; thence South 86 deg. 38 min. 42 sec. East 143.05 feet to the POINT OF BEGINNING. The above described property being portions of properties commonly identified by the Rockingham County Tax Dept. as PIN 7080-19-51-5025, PIN 7080-19-72-4269 and PIN 7080-19-61-1372.

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

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of January, 2023.

CITY OF EDEN

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

A RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING A PROPOSED AMENDMENT TO THE  
CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE  
CASE NUMBER Z-22-07 MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160D-605, prior to adoption or rejection of any zoning amendment, the Eden City Council is required to adopt a statement as to whether the amendment is consistent with the Land Development Plan and why the City Council considers the action taken to be reasonable and in the public interest; WHEREAS, on May 17, 2022, the Eden City Council adopted the Comprehensive Plan which included a Future Land Use Map. Plans such as the City of Eden Comprehensive 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 approximately 89 acres off South Edgewood Road from Residential 20 to Residential Mixed Use.

WHEREAS, On October 25, 2022, the City of Eden Planning Board voted to recommend to the Eden City Council that the rezoning request be approved.

STATEMENT OF NEED:

The RMX district would permit single-family residential uses, as well as single-family attached housing (townhomes) and multi-family housing. The RMX district would also permit smaller scaled, low impact commercial and office uses so as not to adversely affect the residential nature of the area. The uses allowed in the RMX district would not negatively impact the surrounding residential areas, and could be beneficial to the area by providing small scaled commercial and office uses for the neighboring residential areas.

STATEMENT OF CONSISTENCY:

The goals of the 2022 City of Eden Comprehensive Plan are to make smart growth decisions by carefully managing growth to:

- A. Strategically locate new land development in the most appropriate places.
- B. Maintain and enhance Eden's community character and heritage.
- C. Use infrastructure investments as effectively as possible.
- D. Attract new jobs and a more diverse tax base.
- E. Protect natural, cultural and historic resources and open space as we grow.

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

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

1. The Eden City Council finds that the proposed amendment to the City of Eden Unified Development Ordinance is consistent with the goals and recommendations of the 2022 City of Eden Comprehensive Plan.
2. At no time are land use regulations or plans of the City of Eden or any jurisdiction in the State of North Carolina permitted to be in violation of the North Carolina General Statutes.
3. Therefore, based upon the foregoing information, the amendment to the Unified Development Ordinance is reasonable and in the public's, best interest.

Approved and adopted and effective this 17th day of January, 2023.

CITY OF EDEN

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

- b. (1) Consideration of a zoning map amendment request and adoption of an ordinance to rezone approximately 15 acres located at 1711 Mill Avenue from Open Space to Heavy Industrial. Zoning case Z-22-09. (2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment.



ZONING CASE  
Z-22-09  
2018 AERIAL MAP

N

PIN:  
7090-07-79-4019

Zoned:  
Open Space

Request:  
Heavy Industrial

Ms. Stultz wrote in a memo: The City has received a zoning map amendment request filed by the City of Eden City Council, Representative for the property owner, the City of Eden, to rezone approximately 15 acres at 1711 Mill Avenue. The request is to rezone the property from Open Space to Heavy Industrial. The Planning and Community Development Department recommends approval of the map amendment request. At a special request meeting on January 3, the Planning Board voted to recommend that the City Council approve this request.

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

Ms. Stultz said it was a piece of property acquired by the City June 30, 1994 when the City bought City Hall and other properties from Fieldcrest Cannon. The property in discussion had been a ballpark for as long as she could remember; however, since the inception of Freedom Park, it was not regularly used for a public purpose and the City did believe its value may be in rezoning. The request was initiated by City Council and recommended in favor by staff and the Planning Board that the zoning on the property be changed from Open Space to Heavy Industrial. It was located adjacent to a heavy industrial use and could bring economic development and value to the community.

As there were no further comments or discussion, Mayor Hall declared the public hearing closed.

Council Member Ellis asked if the neighbors had been notified.

Ms. Stultz replied yes.

Council Member Ellis asked if anyone had called in against it.

Ms. Stultz said there may have been one call with a question but she did not know that it was against it.

A motion was made by Council Member Underwood to amend the zoning map and adopt an ordinance to rezone approximately 15 acres located at 1711 Mill Avenue from Open Space to Heavy Industrial and to adopt a resolution of a statement of consistency regarding the map amendment. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

#### AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF EDEN

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

Section 1 - Change from Open Space to Heavy Industrial the following property: Being a lot 734 feet x 932 feet located at 1711 Mill Avenue which contains approximately 15 acres and is identified by the Rockingham County Tax Department as PIN 7090-07-79-4019 and Parcel No. 111078.

Minutes of the January 17, 2023 meeting of the City Council, City of Eden:

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

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of January, 2023.

CITY OF EDEN

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

A RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING A PROPOSED AMENDMENT TO THE  
CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE  
CASE NUMBER Z-22-09 MAP AMENDMENT

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

WHEREAS, on May 17, 2022, the Eden City Council adopted the Comprehensive Plan which included a Future Land Use Map. Plans such as the City of Eden Comprehensive 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 approximately 15 acres located at 1711 Mill Avenue from Open Space District (OS) to Heavy Industrial District (HI).

WHEREAS, On January 3, 2023, the City of Eden Planning Board voted to recommend to the Eden City Council that the rezoning request be approved.

STATEMENT OF NEED:

The HI District is intended to accommodate those industrial, manufacturing, or large-scale utility operations that are known to pose levels of noise, vibration, odor, or truck traffic that are considered nuisances to surrounding development. This district is customarily located in proximity to railroad sidings and/or major thoroughfares.

STATEMENT OF CONSISTENCY:

The goals of the 2022 City of Eden Comprehensive Plan are to make smart growth decisions by carefully managing growth to:

- A. Strategically locate new land development in the most appropriate places.
- B. Maintain and enhance Eden's community character and heritage.
- C. Use infrastructure investments as effectively as possible.
- D. Attract new jobs and a more diverse tax base.
- E. Protect natural, cultural and historic resources and open space as we grow.

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

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

- 1. The Eden City Council finds that the proposed amendment to the City of Eden Unified Development Ordinance is consistent with the goals and recommendations of the 2022 City of Eden Comprehensive Plan.
- 2. At no time are land use regulations or plans of the City of Eden or any jurisdiction in the State of North Carolina permitted to be in violation of the North Carolina General Statutes.
- 3. Therefore, based upon the foregoing information, the amendment to the Unified Development Ordinance is reasonable and in the public's, best interest.

Approved and adopted and effective this 17th day of January, 2023.

CITY OF EDEN

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

- c. Consideration to approve an economic development proposal that would include a conveyance to Mabe Trucking Properties, LLC of a fee simple interest in Parcel D containing 14.862 acres, Tax Parcel ID 111078, as currently shown on Plat of Survey for Fieldcrest Mills, Inc., dated January 27, 1986 by C.E. Robertson & Associates and recorded in Plat Book 30 Page 89 in Rockingham County Register of Deeds.

Ms. Stultz and Ms. Erin Gilley wrote in a memo: Staff has prepared a proposed land sale to Mabe Trucking Properties, LLC. This Company has offered to purchase the 14.862 acres of land owned by the City between East Meadow Road and Mill Avenue, adjacent to the existing Mabe Trucking Properties facility. The Company plans to expand onto the land and desires to purchase it from the City. Pursuant to NC law, NCGS 158-7.1, the City determined the fair market value of the land at \$174,500 (\$11,741.35 per acre). The Company has agreed to invest at least \$500,000 in real and personal property improvements at the site and to create and fill 25 additional full-time jobs at an average salary of \$47,000 over the next three years. Based upon that consideration, Staff has negotiated a sale of the property for \$100,000 and those investment promises. Those promises will be handled in a Performance Agreement similar to the previous ones the City and County has adopted and followed. The Performance Agreement and Purchase Sale Agreement are attached for your review. There are recapture provisions that are addressed in the Performance Agreement in case the Company does not meet its expectations. The Agreement will be recorded in the Register of Deeds and will run with the land until all obligations are met. Staff recommends that you adopt this attached Resolution and Agreement as a means of encouraging and supporting local industry and economic development at your January 17, 2023 meeting. Please do not hesitate to contact me if you should have any questions or concerns.

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

Ms. Stultz said Council was familiar with the property from the previous zoning case. She was presenting Council with a performance agreement between the City and Mabe Trucking Company. Mabe needed and intended to do an expansion that would go over on the ballpark property which was adjacent to their property now. The City had agreed to rezone the property. Staff recommended Council approve the agreement and the sale of the property. Mabe wanted to delay closing should Council approve it for 60 days, which was the time someone could appeal the rezoning decision. It was something Mabe needed to do to expand their business and she thought, as did Ms. Gilley and Rockingham County Economic Development Director Leigh Cockram, it was something that should be supported.

As there were no further comments or discussion, Mayor Hall closed the public hearing.

Council Member Epps made a motion to approve the economic development proposal that would include a conveyance to Mabe Trucking Properties, LLC of a fee simple interest in Parcel D containing 14.862 acres, Tax Parcel ID 111078, as currently shown on Plat of Survey for Fieldcrest Mills, Inc., dated January 27, 1986 by C.E. Robertson & Associates and recorded in Plat Book 30 Page 89 in Rockingham County Register of Deeds. Council Member Kirkman seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

#### RESOLUTION OF THE CITY COUNCIL, CITY OF EDEN AUTHORIZING ECONOMIC DEVELOPMENT INCENTIVES

Background. In order to induce Mabe Trucking Properties LLC, (the “Company”), to make a significant capital investment in Rockingham County, a political subdivision of the State of North Carolina (the “County”), by making substantial improvements to an existing manufacturing facility and surrounding property in the City of Eden, a municipality incorporated and existing under the laws of the State of North Carolina (the “City”), and to create a substantial number of new jobs at the Facility, the Company requested that the City provide certain economic development incentives to the Company, specifically a subsidized land conveyance, as described in the Purchase Sale Agreement by and between the Company and the City, a copy of which is attached to this Resolution as Exhibit A. As stated in a proposed performance agreement (“Performance Agreement”) by and between the Company and the City, a copy of which is attached to this Resolution as Exhibit B, the Company proposes to (a) invest at least \$500,000 in the City, and (b) employ at least 25 persons at the Facility at an annual average wage of at least \$47,000, which is higher than the average private sector wage for the County as reported by the North Carolina Department of Commerce.

The Company’s proposed investment in the Facility will enhance the tax base at the Facility employment in the City. The City Council of the City (“City Council”) has determined that it is desirable and in the best interests of the City and the businesses and residents in the City to offer certain economic development incentives (a subsidized land conveyance) to the Company in order to induce the Company to improve and operate the Facility in the County near the City, and to authorize City officials to enter into a performance agreement with the Company substantially in the form of the Agreement.



Resolution. Therefore, the City Council hereby resolves as follows:

The City Council hereby approves and adopts the following:

- To implement these incentives, the subsidized land conveyance, the Purchase Sale Agreement and the Performance Agreement, and the reduction in those incentives for the Company's failure to meet the minimum capital investment and job creation requirements, the City Council hereby adopts and approves the Agreement and authorizes the Mayor and the City Manager (or either of them) to execute, deliver, and perform the Agreement on the City's behalf and to take all actions necessary to implement the actions and incentives required by the Agreement, as applicable. The City Council also authorizes the Mayor and the City Manager (or either of them), before executing the Agreement, to negotiate and approve changes to the Agreement that do not increase the amounts of the incentives the City is required to pay the Company under the Agreement.

Effective as of this 17th day of January, 2023.

ATTEST CITY COUNCIL, CITY OF EDEN:

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

APPROVED AS TO FORM: Erin Gilley, City Attorney

#### REQUESTS AND PETITIONS OF CITIZENS:

There were none at this time.

#### UNFINISHED BUSINESS:

- a. Consideration of boards and commissions appointments.

Ms. Stultz wrote in a memo: The following seats on the City Boards and Commissions are up for appointment or reappointment in 2023. 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. If you have questions, please do not hesitate to call.

Ward 1 Councilman Moore: None to report

Ward 2 Councilman Nooe: None to report

Ward 3 Councilman Kirkman: None to report

Ward 4 Councilman Epps: None to report

Ward 5 Councilman Underwood: None to report

Ward 6 VACANT: Community Appearance – James Cherry (Resigned)

Ward 7 Councilman Ellis: Tree Board – Gina Ellis (Term expired) Recommendation of reappointing Gina Ellis

Mayor Hall: None to report

ETJ (Must be appointed by City Council and approved by County Commissioners): None to report

The following are the days and times that each board meets each month:

Board of Adjustment 1st Thursday each month 5:30 pm; Community Appearance Commission 1st Tuesday each month 5:30 pm;

Historic Preservation Commission 2nd Monday each month 5:30 pm; Planning Board 4th Tuesday each month 5:30 pm; Tree Board 3rd Monday of each month Noon

Mayor Hall called on Ms. Stultz.

Ms. Stultz said they were doing very well on appointments that year. There was a vacancy in Ward 6 for the Community Appearance Commission as Mr. Cherry had resigned. As Council Member Light had just taken his seat, she assumed he would be filling that later. Council Member Ellis had recommended Gina Ellis be appointed to the Tree Board.

A motion was made by Council Member Moore to appoint Gina Ellis to the Tree Board. Council Member Kirkman seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

#### NEW BUSINESS:

- a. Consideration of approval to remove the out-of-service Byrd Street water tank.

Utilities Manager Melinda Ward wrote in a memo: The Byrd St. Water Tank has been out of service for several years and has become unsightly. In 2021, we began looking at options for preserving and improving the look of the tank. We asked our tank contractor to provide a quote, but in August, we received analysis that showed high levels of lead paint. We were told that with a cost of approximately \$250,000, it was too cost prohibitive to improve considering it would never be placed in service again. We then began looking into the costs of removing the tank. There was an option presented for listing the tank on public auction to see if it could be sold for scrap, so in July 2022, it was listed for sale. There were several inquiries and a few serious buyers, but each one fell through at the last minute. With this option no longer viable, we returned to the option of tank demolition. With the help of our tank service contractor, we received three bids for demolition from experienced tank companies. Boles Restoration Services gave us a cost of \$95,000, Veolia, through Utility Services, gave us a cost of \$85,500, and RE McLean Tank Company gave us a cost of \$59,950. A representative from McLean has already visited the site and proposed a safe way to dismantle and remove the tank with cooperation from the property owners. The surrounding property owners have already been contacted to make sure they are aware of the potential work and have no issue with granting access to their property for the work. Both have stated no issues with granting access. City crews will assist in blocking Byrd Street during this period of work. We are informing Council of our options and asking that the option of removal by RE McLean Tank Company be approved as the lowest bidder.

Ms. Ward said about a year prior, the City had looked at the condition of the Byrd Street water tank and determined that it was beyond repair. It was going to take more than it was worth to repair it, \$250,000 to repaint and they had discovered it contained a lot of lead paint as well. At first, it was thought it could be sold for scrap and not spend City money to take it down. There were several offers during that process but each one of them fell through. Now staff was back at the table looking at the possibility of demolition. Several reputable companies had put in offers and staff wanted to inform Council of what they had found out and to get Council's approval.

Council Member Epps asked if it would affect the water pressure in that area.

Ms. Ward said no, the tank was not in service and had not been for many years.

Council Member Ellis noted that buzzards roosted on the tank.

Mayor Hall said the neighbors would be glad to see it removed.

Ms. Ward said it should be beneficial to the neighbors that the buzzards would find a new place to roost.

Mayor Hall noted the low bid was \$59,950 from RE McLean Tank Company and Ms. Ward needed a motion to approve or deny that.

A motion was made by Council Member Nooe that RE McLean Tank Company be approved as the lowest bidder. Council Member Underwood seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

Minutes of the January 17, 2023 meeting of the City Council, City of Eden:

**R. E. McLEAN TANK COMPANY, INC.**

Telephone (704) 810-0090  
Fax: (704) 810-0460 • Email: [mclean90@bellsouth.net](mailto:mclean90@bellsouth.net)

Office and Shop:  
4950 York Highway (US 331 South)  
Gastonia, North Carolina 28052

Mailing Address:  
P.O. Box 1062  
Gastonia, North Carolina 28053

November 17, 2022

Ms. Melinda S. Ward  
Utilities Manager  
City of Eden

Email: [mward@edenc.us](mailto:mward@edenc.us)

**Subject:** Dismantle and disposal of approximately 100,000-Gallon Elevated Water Tank at Intersection of Stadium Drive and Byrd Street, Eden, North Carolina

**PROPOSAL:**

Subject to the City of Eden arranging at no expense to McLean Tank Company temporary use of space for equipment, lay down area and working room on vacant portion of lots/parcel numbers 169308 and 169052.

We purpose to furnish necessary labor, equipment and supplies to cut tank into sections, mechanically lower by crane, further cut up and load on trucks and properly dispose of same as salvage material of McLean Tank Company. We will routinely protect our workmen with appropriate masks in the possible presence of heavy metal-based paint.

Tank will be removed to top of concrete foundation, anchor bolts will be cut off flush with concrete foundation. Pipe will be cut off flush with concrete foundation. Site will be left in a reasonably neat condition similar to beginning of job. Owner will have tank drained prior to our beginning work.

**CONDITIONS:**

We will furnish all necessary labor, equipment and materials for the above job. Owner will receive a certificate of insurance covering Workmen's Compensation, Public Liability and Property Damage.

**R.E. McLEAN TANK COMPANY, INC.**

Owner will furnish 110-volt electrical connections with which to operate our equipment. Owner will insulate or de-energize any electrical lines within fifteen (15) feet and will cooperate in having cars moved from work area.

Owner will provide firehose and water outlet of sixteen (16) gallons per minute. Owner will provide proper access road to work site to accommodate tractor, trailer and/or crane as needed. We will typically clean up our work site; however, any debris generated from cleaning operations determined to be hazardous due to existing material removed from tanks will be disposed of at an appropriate additional charge to the owner.

**PRICING:**

To complete project as described above: \$59,950.00 and salvage material.

**TERMS:**

Payable on completion of project.

**R. E. McLEAN TANK COMPANY, INC.**

BY:   
H. Edward Jackson, President

ACCEPTED: CITY OF EDEN

By: \_\_\_\_\_ Date: \_\_\_\_\_

- b. Consideration to adopt an ordinance to amend the backflow/cross connection portion of Chapter 16 of the Eden City Code of Ordinances.

Ms. Ward wrote in a memo: The Backflow/Cross Connection portion of the Ordinance needed to be updated to reflect the current practices of the City. Because of how the document was originally set up, I took this opportunity to reformat the titles and page numbers for the entire document so that it could be easily changed in the future. Since this resulted in changes throughout the ordinance, I proceeded with revisions through all of the sections to keep everything cohesive. The formatting changes have already been saved to alleviate confusion, but changes to the wording is shown as tracked. The following is a list of the basic changes that were made: Titles throughout have been updated and/or changed to eliminate specific people and just refer to the position that will be considered; Department and Division names have been updated; The City of Eden is referred to as just the City throughout the document, but the distinction is noted at the beginning; Mistakes have been corrected or clarified; Backflow and Cross Connection have been combined throughout the section for titles and device descriptions; The NC Plumbing Code has been added as a reference for approved Backflow devices in two separate sections; Future installations are being asked to be lead free; The testing requirement for Backflow devices by the City is being removed because we feel this will never be a possibility. It is currently contracted out by business and home owners; We will provide a list of approved plumbers but will not specify what type of Backflow device is required, as long as it is an approved device; A precedence has been set for irrigation installations, so that will be followed hereafter; Any reference to article has been replaced by ordinance.

Mayor Hall called on Ms. Ward.

Ms. Ward said staff had been working on the ordinance for about a year trying to get the changes updated. They had three more additions made recently. Additional positions had been added to be involved in recommendations for the water shortage plan. There was some clarification for discontinuation of services as far as enforcement and there was a reference to the plumbing code just updating the reference. Other than that an updated form should have been emailed to everyone. She believed when it was saved as a pdf, none of the changes were showing. Staff, including the new Operator in Responsible Charge (ORC) of Distribution and Backflow Connection Byron Curry, along with Superintendent Dena Reid and Chief Codes Inspector Bob Vincent were all involved in reading over the ordinance and making sure the changes were in agreement with each other between the building code and state regulations. Once staff conferred and made the changes, they brought the whole ordinance up to code. It was being presented for any questions Council may have before approval.

Council Member Underwood recognized Mr. Curry in the audience and asked his opinion on it.

Mr. Curry said the way it was changed, it had better wording and was a lot clearer. There was no opposition from the plumbing contractors around town. He thought it had been well received.

A motion was made by Council Member Underwood to adopt an ordinance to amend the backflow/cross connection portion of Chapter 16 of the Eden City Code of Ordinances. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

*Due to the volume of the ordinance amendment, it is not included in the minutes. A copy of the signed ordinance is on file in the City Clerk's Office.*

REPORTS FROM STAFF:

a. City Manager's Report.

Mayor Hall called on City Manager Jon Mendenhall.

Mr. Mendenhall said he would be pleased to answer any questions.

Mayor Hall thanked Mr. Mendenhall. He said there were copies available at the meeting, online and as always, in Eden's Own Journal. He encouraged attendees to get a copy and make note of what had been happening at City Hall.

City Manager's Report  
January 2023  
City Manager Jon Mendenhall

ADMINISTRATION DEPARTMENT

Marketing & Communications Office

WINTERFEST THANK YOU'S

A huge thank you goes out to all those who came and enjoyed WinterFest in Grogan Park on Friday, December 2. Other thanks go out to Brett Curry and Facilities and Grounds for help before and during the event and all the vendors that made it so special. It was a fun winter night full of holiday activities and community spirit! The night consisted of an outdoor movie with popcorn, basket raffle, cocoa bar, smore's bar, inflatable for kids, oversized games, beautiful decorations and more. A very special thank you to Raymond Uden for lighting our tree. We can't wait for next year.

NC YEAR OF THE TRAIL

The NC Year of the Trail campaign aims to showcase and celebrate North Carolina trails, encouraging ongoing participation, investment, and development among locals and legislators. The Year of the Trail celebrates North Carolina's vast and diverse collection of trails and encourages all of us to recognize our role as champions of these special resources.

Eden and Rockingham will be hosting several events throughout the year to celebrate both of our treasured walking and paddle trails. See you out there. Happy Trails!

CODE RED

If you would like to stay informed about altered trash routes due to holidays, special weather announcements or any other important city messages, please call 336-623-2110 and let our Customer Service representatives sign you up for Code Red. You as a resident will be alerted by telephone, cell phone, text message or by email regarding time-sensitive general and emergency notifications.

GET READY FOR AWESOME EVENTS COMING IN 2023

Our calendar is ready for 2023 and we are going to be busy! All your favorites will be back bigger and better than ever along with some new and exciting events. So, mark your calendars now because you don't want to miss anything!

- April 1 – Native American Youth Powwow in Grogan Park
- April 21-23 – Trail Days celebrating the NC Year of the Trail
- May 18 – Spring Grown & Gathered
- May 20 – Celebration at New Dog Park with Nestle Purina
- June 3 – Piedmont Pottery Festival
- June 17 – Oink & Ale
- July 22 – Shaggin' on Fieldcrest
- August 10 – Summer Grown & Gathered
- August 19 – Touch-A-Truck
- September 15 & 16 – RiverFest
- December 1 – Winterfest

PARKS & RECREATION DEPARTMENT

#### Recreation Division

Bridge Street: In December, the Bridge Street Recreation Center had 1,787 visits by residents. The Meals with Friends had a Christmas party with a visit from Santa Claus on December 20. Meals on Wheels continues to operate out of our Nutrition Center Mondays through Fridays each week. Our center hours are: Monday through Thursday from 12:00 p.m. until 8:00 p.m. and Friday from 10:00 a.m. until 6:00 p.m.

Mill Avenue: We had 1,605 visits to the Mill Avenue Center by residents who participated in our activities. Our women's volleyball league finished their playoff tournament on December 19. Those attending walked the track, played pickup basketball, pickleball, did their homework or played on the playground. Our morning pickleball begins at 8:30 a.m. on Mondays, Tuesdays, Wednesdays and Fridays and the evening group now play on any evenings available or Sunday evenings. Our regular center hours are: Monday through Thursday from 12:00 p.m. until 8:00 p.m. and Friday from 10:00 a.m. until 6:00 p.m.

Freedom Park: The weather has slowed down business at Freedom Park this month. The dog park is still being utilized unless it's wet and raining. The basketball courts continue to be a popular place for our teenagers and young adults. Our bocce court and volleyball courts are there for anyone who would like to play on them. The batting cage is being used just about every afternoon. The shelters are not rented out during the colder months but we do have people using them for parties and reunions.

Senior Citizens: We had 802 visits during the month of December. We had 131 people join in for cards/games, 185 in fitness and exercise, 11 in classes/workshops, 10 in off-site excursions, 59 in socializing, 68 in special groups, 338 in sports and a total of 802 in total event sign ins. Special events for the month were Christmas craft day, Eden Drug health information session, Christmas party and breakfast, shopping trip to Hamrick's and the Christmas Tree Shop in Greensboro, Christmas bingo and a Santa visit. The walking group and pickleball have moved indoors due to the weather.

Youth Athletics: We had our Prowler football awards on Sunday, December 11 at the Trinity Wesleyan Church gym. We had over 300 players, parents, families and friends attend. All players received an award and a nice shirt. Basketball games began on Monday, December 12 with 11 teams playing in four leagues. We are playing an interlocking schedule with the Boys and Girls Club.

#### PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

##### Local Codes and Inspections

Local code complaints have slowed down as they typically do this time of year, however even with colder weather upon us, complaints continue to come in on Click Fix and by phone calls. More are for junk and housing code violations rather than high grass this time of year. While we still only have one inspector, complaints continue to be addressed in a timely manner and notices sent as needed. The inspector is also checking for other code violations as he sees them out in the field and submitting them to send notices. Most abatements are being handled by outside contractors as facility maintenance is tied up with other duties.

Inspections & Permits December 1 – December 31, 2022

Total Inspections Performed 155 (Does not include fire inspections)

Total Permits Issued 70

##### Boards & Commissions

The Community Appearance Commission met for the month of December but did not have enough members present to establish a quorum.

The Historic Preservation Commission did not meet for the month of December.

The Tree Board met for the month of December and discussed future project ideas.

The Planning Board did not meet for the month of December, but will have a special request meeting on January 3, 2023 to review the rezoning case of a parcel of approximately 15 acres located at 1711 Mill Avenue. Application filed by the City of Eden City Council, representative for the City of Eden, property owner.

##### General

Our department has continued to advertise and sell the Christmas ornaments which were a project of the Community Appearance Commission and the Tale of Three Cities books that was a project of the Historic Preservation Commission. Ornaments are now \$1 and are buy one get one. Books are \$20.

##### Grants

CDBG-Draper: The Piedmont Triad Regional Council and Synterra have been visiting the houses and doing work write-ups for the renovations and radon, asbestos and lead-based paint results. The Fire Station #2 Rehab is to be joined with this existing grant.

CDBG-CV: The City now owns the building and we have been working with Insight Staff to file the budget amendment with the Department of Commerce.

#### POLICE DEPARTMENT

The Tait portable radios have been fielded and are in current operation. The transition went seamless and the Tait product seems to meet all expectations. The mobile units and the recording units are scheduled to be installed mid-January 2023.

Three FORD F-150 Police Responders have been ordered. There is a tentative build window thru February 2023.

Two Dodge Durango Pursuit Vehicles have been purchased and are in our possession. Brook's Public Safety will be completing the upfitting of these vehicles. Brook's Public Safety will begin the upfitting of the two Durangos on January 11.

We currently are down 4 sworn officers (2 Patrol, 2 Investigators.) We have begun the background investigation with one applicant and anticipate a hire date mid-February.

CONSENT AGENDA:

- a. Approval and adoption of the December 20, 2022 Council meeting minutes.
- b. Approval and adoption of a contract regarding the Conduct of Municipal Elections with the Rockingham County Board of Elections.

Rockingham County Board of Elections Director Paula Seamster wrote in a memo: The Rockingham County Board of Election requires a current copy of our Municipal contract to be in our office prior to each Municipal Election. The last time the Municipal contract was reviewed, approved, and signed was in 2015. Some of the general statutes have changed since that time so there have been some changes made to the contract but the terms of the contract remain the same. The last page of the contract must be signed by the Mayor and attested to by the Clerk. Your City seal must be attached below the Clerk's signature. The signed, original copy must be returned to our office. If you have any questions please feel free to contact me at 336-342-8110.

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

- c. Approval and adoption of Budget Amendment #4.

Ms. Winn wrote in a memo: The attached budget amendment appropriates funds received from the NC Office of State Budget & Management for the purchase of SCBA (air packs) for the Fire Department and a fuel tank system for Fleet Maintenance. This amendment appropriates \$360,000 for the air packs and \$500,000 for the fuel tank system.

Subject: Budget Amendment # 4

	Account #	From	To	Amount
<b>General Fund Revenues</b>				
State Grant	10-3412-42000	\$ -	\$ 860,000.00	<u>\$ 860,000.00</u>
<b>General Fund Expenditures</b>				
Fire C/O Equipment - Depr	10-4340-57000	\$ -	\$ 360,000.00	\$ 360,000.00
Fleet Maint C/O Equipment - Depr	10-6920-57000	\$ 215,000.00	\$ 715,000.00	<u>\$ 500,000.00</u>
				<u>\$ 860,000.00</u>

Appropriates State grant funds received for SCBA purchases for the Fire Department and Fuel Tank System for Fleet Maintenance.

Adopted and effective this 17th day of January, 2023.

Attest:

\_\_\_\_\_  
Deanna Hunt, City Clerk

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

- d. Approval and adoption of a resolution in support of seeking and sourcing funding for traffic reconfiguration at the Bridge Street, Boone Road and Washington Street intersection.

**RESOLUTION IN SUPPORT OF SEEKING AND SOURCING FUNDING FOR TRAFFIC RECONFIGURATION AT BRIDGE STREET, BOONE ROAD AND WASHINGTON STREET INTERSECTION**

WHEREAS, the City of Eden's historic downtown area located at or near the intersection of Washington Street, Bridge Street and Boone Road has undergone a recent revitalization, adding news businesses and residents; and

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

Minutes of the January 17, 2023 meeting of the City Council, City of Eden:

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

WHEREAS, NC Department of Transportation has assessed this intersection and found that a reconfiguration of the intersection with such a means as a "Round-a-bout" would improve traffic flow; and

WHEREAS, such traffic improvements can be costly to taxpayers, and City of Eden desires assistance with securing the funding from NC Department of Transportation and other state partners who may have the means and resources to assist the City in an effort to ease the burden on the local taxpayers; and

NOW, THEREFORE, BE IT RESOLVED, that the Eden City Council does hereby endorse this Resolution in support of seeking and sourcing funding for traffic reconfiguration at Bridge Street, Boone Road and Washington Street Intersection.

This the 17 day of January 2023

APPROVED, ADOPTED AND EFFECTIVE this 17 day of January, 2023.

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

A motion was made by Council Member Epps to approve the consent agenda. Council Member Moore seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

#### ANNOUNCEMENTS:

Mayor Hall welcomed Council Member Light and looked forward to working with him in the months and years to come. His willingness to serve the City, as he did for so many years as a police officer, was appreciated. They were glad to have him back.

Council Member Moore said he had something to mention that he had noticed as he was driving around town. When Council Member Light was police chief, there had been a lot of effort to stop litter on the streets. He did not know if it was the high winds they had been having, but up and down Stadium Drive, Fieldcrest Road and Meadow Road, there was a lot of litter. Council and citizens needed to be concerned about that and take care of the City to keep it as clean as possible. Anyone who rode around and looked would see what he was talking about.

Mayor Hall said it was a problem everywhere and he wished people would be more responsible. If anyone was seen littering, citizens could call the Police Department with the tag number and the department could talk to them. It was something that needed to be worked on.

Council Member Epps thanked the auditors and staff who worked together to get it done. A balanced budget was something you did not hear about anymore. They should thank God that the City had a balanced budget and no increased taxes.

Council Member Ellis said Tim Buck, who was the women's soccer coach at Rockingham County High School, would bring his team over. Mr. Buck would be known as the North Carolina High School Association's more or less coach of the year having a team represent the state. Mr. Buck's team would be coming to do a clinic with elementary school kids at the Mill Avenue Recreation Center on February 21 from 4 to 5:30 p.m. Kids attending would get a bag, shin guards and a ball. Mr. Buck and his twin brother were from the Draper community. He thanked Pastor Clements for staying the whole meeting. He appreciated him and it meant a lot.

#### ADJOURNMENT:

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

Respectfully submitted,

---

Deanna Hunt  
City Clerk

Minutes of the January 17, 2023 meeting of the City Council, City of Eden:

ATTEST:

---

Neville Hall  
Mayor