

**EDEN CITY COUNCIL
REGULAR MEETING AGENDA
June 20, 2023 at 6 p.m.
Council Chambers, 308 E. Stadium Drive**

1. Meeting called to order by: Neville Hall, Mayor
2. Invocation: Pastor Les Herod, Church of God of Prophecy
3. Pledge of Allegiance: Led by Averie Foust, rising second grader at Wentworth Elementary School
4. Recognitions:
 - a. Recognition: Mabe Trucking for 35 years in business
 - b. Recognition: Prowlers 14U girls' softball and 12U boys' baseball teams
5. Roll Call
6. Set Meeting Agenda
7. Public Hearings:
 - a. Consideration to adopt an ordinance annexing the property located at 345 Wilshire Drive. Case A-23-02. **Kelly Stultz, Director of Planning and Community Development**
 - b. Consideration to adopt an ordinance to close an unopened section of Houchins Street. Case SC-23-01. **Kelly Stultz, Director of Planning and Community Development**
8. Requests and Petitions of Citizens
9. Unfinished Business:
 - a. Consideration to accept an offer to purchase surplus real property at Byrd Street. **Erin Gilley, City Attorney**
 - b. Consideration to accept an offer to purchase surplus real property at Dallas Street. **Erin Gilley, City Attorney**
10. New Business:
 - a. Consideration to adopt the Draper Small Area Plan. **Kelly Stultz, Director of Planning and Community Development**
11. Reports from Staff:
 - a. City Manager's Report. **Jon Mendenhall, City Manager**
12. Consent Agenda:
 - a. Approval and adoption of the May 16, 2023 Council meeting minutes. **Deanna Hunt, City Clerk**
 - b. Approval of a pyrotechnics permit for Independence Day fireworks. **Chris White, Fire Chief**
 - c. Approval and adoption of Budget Amendment #10. **Tammie McMichael, Finance and Personnel Director**
 - d. Approval and adoption of Budget Amendment #11. **Tammie McMichael, Finance and Personnel Director**
 - e. Approval and adoption of Budget Amendment #12. **Tammie McMichael, Finance and Personnel Director**

- f. Approval and adoption of (1) the 10-year Capital Improvements Plan; (2) a resolution on the Capital Reserve Fund – General Fund 2023 – and adoption of Budget Amendment 13 to fund the resolution; and (3) a resolution on the Capital Reserve Fund – Water-Sewer Fund 2023 – and adoption of Budget Amendment 14 to fund the resolution. **Jon Mendenhall, City Manager**
- g. Approval and adoption of a resolution to accept a loan offer from the Division of Water Infrastructure. **Terry Shelton, Special Projects Manager**

13. Announcements

14. Adjournment



Planning and Community Development Department

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

MEMO

To: Honorable Mayor and City Council
Thru: Jon Mendenhall, City Manager
From: Kelly K. Stultz, AICP, Director
Subject: **Public Hearing - Annexation Request
345 Wilshire Drive**
Date: June 9, 2023

At the regular City Council meeting on May 16, 2023, the Council scheduled this public hearing to hear comments regarding an annexation of the property located at 345 Wilshire Drive.

The Petition Requesting Annexation was filed by the property owners, Brian and Ruby Furbert.

Staff is of the opinion that this property should be annexed.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE CITY OF EDEN, NORTH CAROLINA

WHEREAS, the City Council of the City of Eden, North Carolina, has been petitioned under G. S. 160A-31 to annex the area described below; and

WHEREAS, the City Council of the City of Eden has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the City Council Chamber, 308 East Stadium Drive at 6:00 o'clock p.m. on the June 20, 2023, after due notice by publication on June 7, 2023; and

WHEREAS, the City Council of the City of Eden finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden, North Carolina, that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made a part of the City of Eden as of June 20, 2023:

Being all of Lot 12, Section A, Northridge Mobile Home Subdivision. SEE PLAT BOOK 22, PAGE 10, of the Rockingham County Registry.

Section 2. Upon and after June 20, 2023, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Eden, and shall be entitled to the same privileges and benefits as other parts of the City of Eden. Said territory shall be subject to municipal taxes according to G. S. 160A-31.

Section 3. The Mayor of the City of Eden shall cause to be recorded in the Office of the Register of Deeds of Rockingham, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territories described in Section 1 above, together with a duly certified copy of this Ordinance. Such a map shall be delivered to the Rockingham Board of Elections, as required by G.S. 163-288.1.

Section 4. Notice of adoption of this Ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Eden.

Adopted this 20th day of June, 2023.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, CMC
City Clerk



**City of Eden
Annexation of 345 Wilshire Drive**



Planning and Community Development Department

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

MEMO

To: Honorable Mayor and City Council
Thru: Jon Mendenhall, City Manager
From: Kelly K. Stultz, AICP, Director
Subject: **Public Hearing – SC-23-01 – Closing an Unopened Section of Houchins Street**
Date: June 9, 2023

At the May 16, 2023 regular meeting, the Council adopted a Resolution of Intent to Close an unopened section of Houchins Street. The Council also scheduled this public hearing to hear comments on the alley/street closing request filed by Jerry W. Totten, Curtis H. Darnell, Jr. and Sandra K. Darnell.

The Planning and Community Development Department recommends approval of the alley/street closing. At their June 8, 2023, special request meeting, the Planning Board voted to recommend approval of the alley/street closing.

AN ORDINANCE AND ORDER
TO CLOSE AN UNOPENED SECTION OF HOUCHINS STREET

WHEREAS, on the 12th day of April, 2023, Jerry W. Totten, Curtis H. Darnell, Jr. and Sandra K. Darnell filed a petition, by the terms of which they requested that an unopened section of Houchins Street be closed pursuant to the provisions of Chapter 13, Division 3 of the Eden City Code and North Carolina General Statutes §160A-299; and

WHEREAS, the City Council of the City of Eden, did on the 16th day of May, 2023, at its regular monthly meeting adopt a Resolution of Intent to Close An Unopened Section of Houchins Street calling for a public hearing to be held; and

WHEREAS, the City Council of the City of Eden, did on the 16th day of May, 2023, at its regular monthly meeting, schedule a public hearing to be held on the 20th day of June, 2023, and requested a recommendation of the Planning Board on said closing; and

WHEREAS, the required legal notice was published in the Rockingham Now on the 24th and 31st day of May, 2023, and on the 7th and 14th day of June, 2023, and copies were sent to the property owners as required by law on the 7th day of June, 2023, and copies were posted on the 9th day of June, 2023, as required by law; and

WHEREAS, the Planning Board at a special request meeting on June 8, 2023, recommended to the City Council that said unopened section of Houchins Street be closed; and

WHEREAS, the public hearing was held at the regular monthly meeting of the City Council on the 20th day of June, 2023; and

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

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

Jerry W. Totten, Curtis H. Darnell, Jr. and Sandra K. Darnell are the owners of the properties on each side of the unopened section of Houchins Street which is to be closed.

That said unopened section is not under the control or supervision of the Department of Transportation.

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

That upon the closing of said unopened section of Houchins Street, all right, title and interest therein shall be conclusively presumed to be vested in Jerry W. Totten, Curtis H. Darnell, Jr. and Sandra K. Darnell, the owners of the lots or parcels of land adjacent thereto.

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

That said unopened section of Houchins Street should be closed as requested.

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

Being that portion of Houchins Street located on the south side of Lots 9 and 10, Section 8, Flint Hill, and north of Lots 15 and 16, Section 7, Flint Hill; said portion being shown on the map as 25 feet wide and extending from Washburn Avenue to the rear corners of Lot 10 and 15; said Map of Flint Hill being recorded in Map Book 2, page 12 in the Office of the Register of Deeds for Rockingham County, North Carolina. The described area is shown on the Rockingham County GIS map as 30 feet wide.

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

APPROVED, ADOPTED AND EFFECTIVE, this 20th day of June, 2023.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

(SEAL)



STREET CLOSING
Case File No. SC-23-01



**Unopened Section
of Houchins Street
off of Washburn Avenue**

STREET CLOSING
Case File No. SC-23-01



**Unopened Section
of Houchins Street
off of Washburn Avenue**





Planning and Community Development Department

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

MEMO

TO: Honorable Mayor and City Council
THRU: Jon Mendenhall, City Manager
FROM: Kelly K. Stultz, AICP, Director
SUBJECT: **Sale of 101 N. Byrd Street**
DATE: June 9, 2023

The City has received a bid on the vacant lot located at 101 N. Byrd Street in the amount of \$1,500.00 from Ronnell Wilson. The tax value of the property is \$1,875.00.

An advertisement for the bid ran in the Rockingham Now on May 24, 2023. No upset bids have been received.

There are not any unpaid property taxes due on this property.

In my opinion, our best outcome is to sell the property.

Based upon the foregoing information and the fact that we continue to have to mow and maintain the property, I recommend that the City Council accept the bid.

If you need any further information, please let me know.



R12

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R12

N BYRD ST

Subject Property

105

1405

101

1401

R12

NMX

R12

R12

1321

1325

E STADIUM DR

1402

R12

S BYRD ST

1326

R12

NMX

R12



Planning and Community Development Department

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

MEMO

TO: Honorable Mayor and City Council
THRU: Jon Mendenhall, City Manager
FROM: Kelly K. Stultz, AICP, Director
SUBJECT: **Sale of Parcel Numbers 146823 & 146812**
DATE: June 9, 2023

The City has received a bid on the vacant lots identified by Parcel Numbers 146823 & 146812 in the amount of \$1,000.00 from Cody Chase Lemons. The tax value of the properties combined is \$2,399.00.

An advertisement for the bid ran in the Rockingham Now on May 24, 2023. No upset bids have been received.

There are not any unpaid property taxes due on this property.

In my opinion, our best outcome is to sell the property.

Based upon the foregoing information, I recommend that the City Council accept the bid.

If you need any further information, please let me know.

CITY OF EDEN – MEMORANDUM

TO: KELLY STULTZ, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR
CHASE LEMONS, GRANTS ADMINISTRATOR

FROM: ERIN GILLEY, CITY ATTORNEY

DATE: FEBRUARY 7, 2023

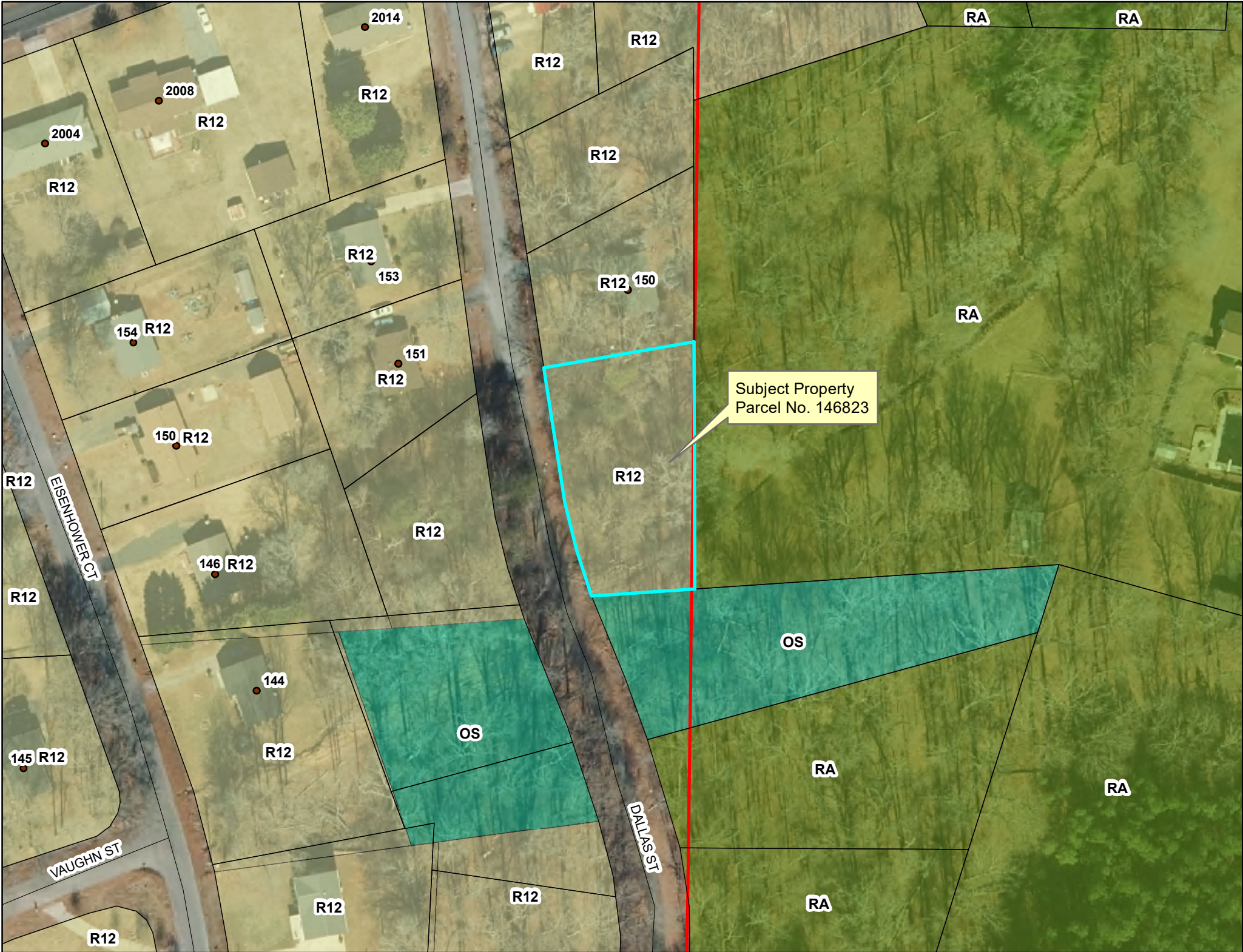
SUBJECT: CONFLICT OF INTEREST & RECUSAL

Chase Lemons, Grants Administrator in the Community and Economic Development Department, requested a meeting with myself regarding a potential conflict of interest and how he might proceed and resolve the issue. He explained to me that he and his wife would like to submit an offer on a City owned vacant lot. The lot was gifted to the City several years ago. It has a sewer line that runs through the middle of it.

I advised Mr. Lemons that I would look into this issue and respond with the best way to proceed on the matter. Mr. Lemons works in the same department that is usually tasked with selling City owned properties. The process consists of an initial decision as to whether the City is interested in selling the property. Subsequently, if that answer is yes, the offer will be received and notice will be given for an upset bid and that process will ensue until a final offer is reached. At that point, the offer will go to the City Council for approval.

Based upon our own City Code of Ethics and state law, this would present a conflict of interest for Mr. Lemons if he was involved in the decision-making process or even a part of the discussions. In order to avoid this potential conflict of interest, Mr. Lemons will need to be completely screened, not present for, included in, or even able to hear any of the discussion surrounding this process. (From the initial decision to the City Council decision and even the deed preparation).

This notice will be kept for records, will be a public record and be shared with the City Manager. In the event this offer or any offer by Mr. Lemons makes it to the City Council, this memo and documentation will also be shared with the Council. In addition, in order to be in strict compliance with the City's and States Code of Ethics, I would ask that documentation be kept on all steps in the process so that there is proof of compliance.



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R12

153

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150

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151

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Subject Property
Parcel No. 146823

150

R12

R12

R12

EISENHOWER CT

R12

146

R12

R12

OS

144

OS

R12

RA

145

R12

RA

VAUGHN ST

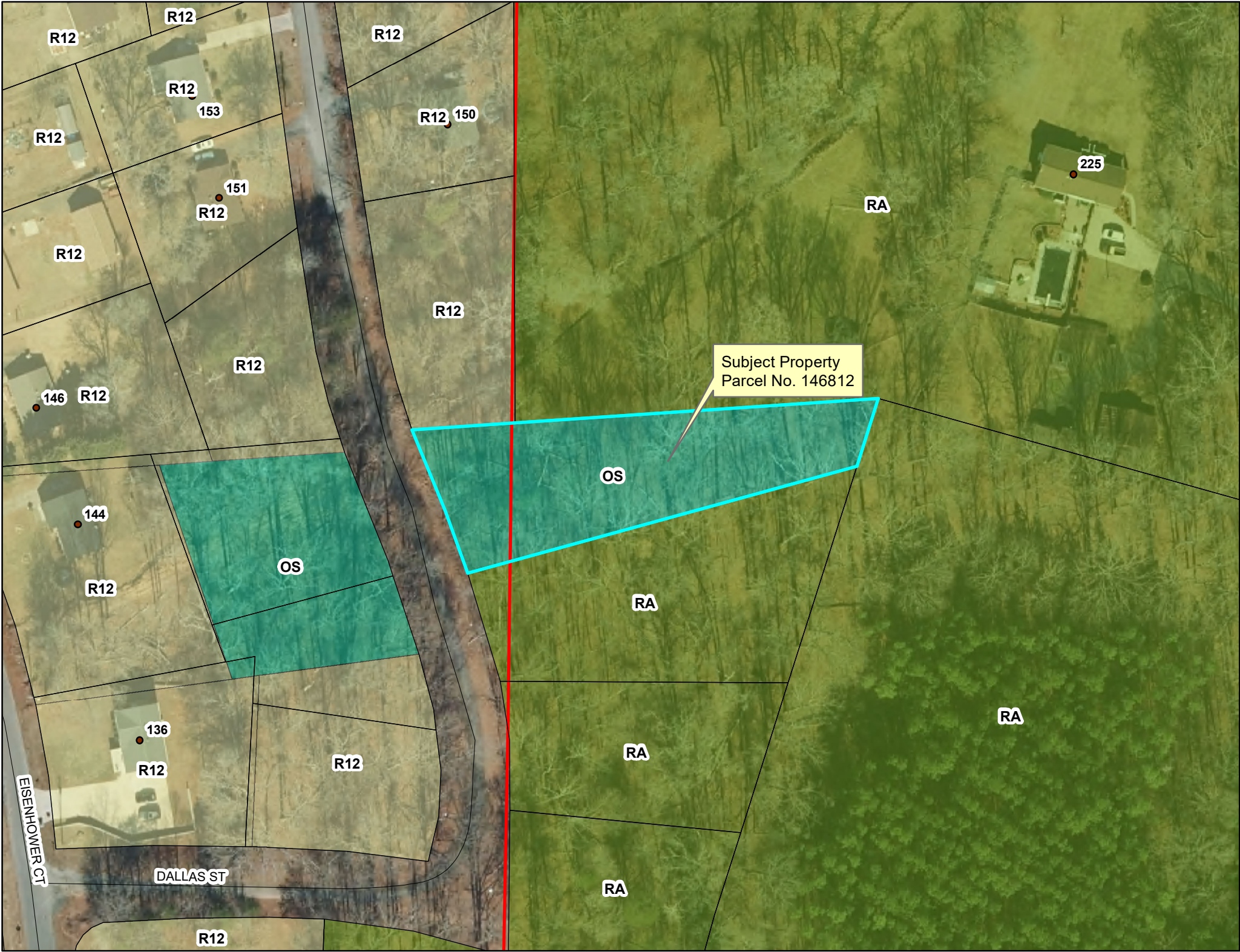
DALLAS ST

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Subject Property
Parcel No. 146812

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R12, 150

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RA

225

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R12

Subject Property
Parcel No. 146812

OS

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OS

RA

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EISENHOWER CT

DALLAS ST

RA

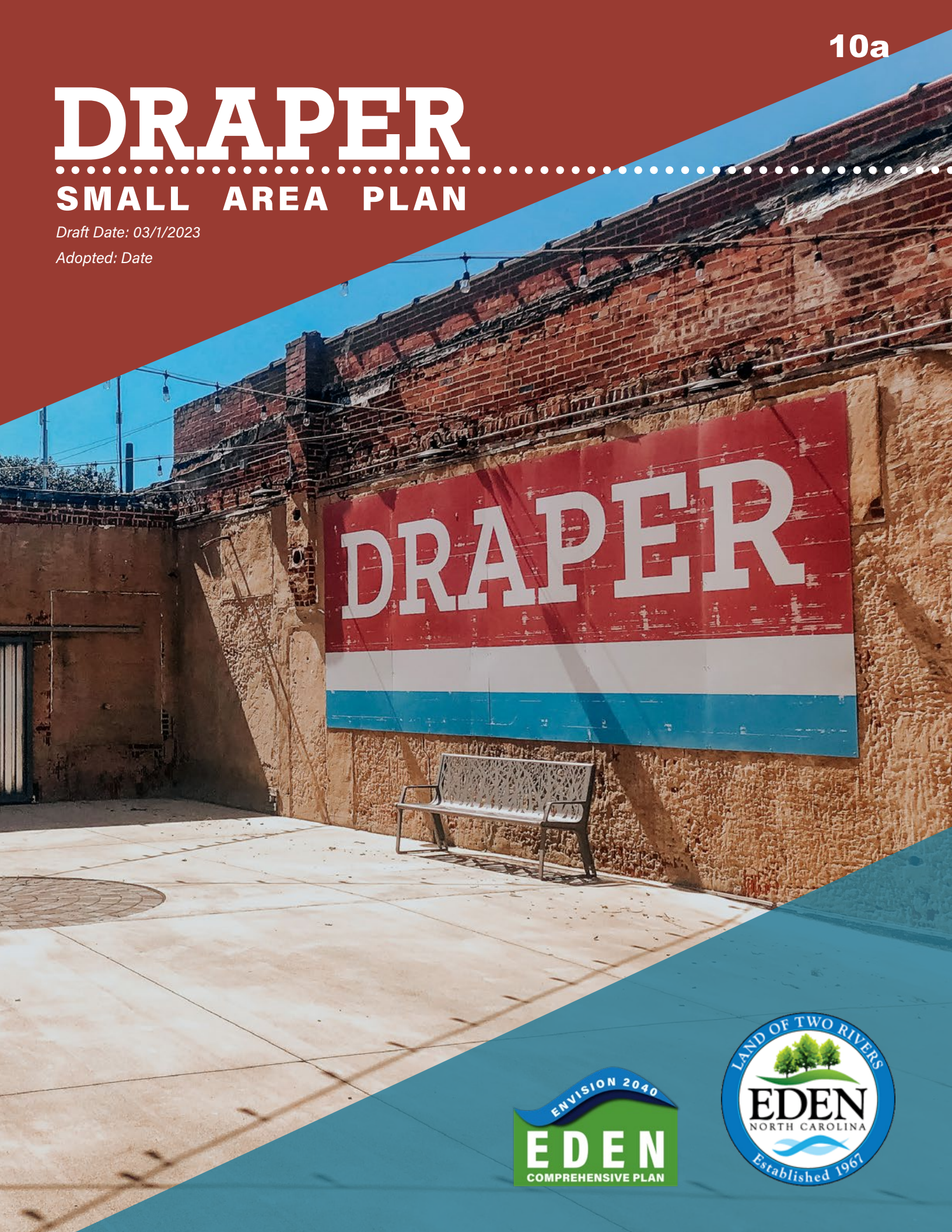
R12

DRAPER

SMALL AREA PLAN

Draft Date: 03/1/2023

Adopted: Date



Acknowledgments

City Council

- » Neville Hall, Mayor
- » Bernie Moore, Mayor Pro Tem
- » Bruce Nooe
- » Kenny Kirkman
- » Jerry Epps
- » Tommy Underwood
- » Greg Light
- » Gerald Ellis

City Manager

- » Jon Mendenhall

City Staff

- » Kelly Stultz, Director, Planning and Community Development
- » Jeff Alderman, Planner I
- » Chase Lemons, Grants Administrator
- » Kenneth White, Main Street Administrator
- » Debra Madison, GIS Specialist (Retired)

DRAPER

SMALL AREA PLAN



Prepared with assistance from



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Introduction

The City of Eden developed separate towns and still retains three individual historic downtown areas. As a part of the larger Envision Eden Comprehensive Plan effort, a smaller study was developed specifically on the historic Downtown Leaksville. The Uptown Eden Small Area Plan (SAP) was the first of a series of anticipated small area plans for the City. This document is the second these plans.

Draper, like Leaksville and Spray, has its own character and identity due to the history of each developing has neighboring communities. While all are part of the City of Eden, each has a set of issues, assets, and concerns that may be similar in content, but differ in what is a priority. The Draper Small Area Plan will document these through the analysis process, and help to define the goals and priorities for Draper's future so that all stakeholders are working towards the same objectives.

Process

The process of creating this SAP largely followed the same process as the Uptown Eden Small Area Plan. The project team conducted an in-depth analysis focused on Draper, using mapping and demographic data, and listened to local residents and business owners through a survey, a public meeting, and site visits to create this set of tailored strategic recommendations for Draper.

Study Area

The study area for the plan was based on the 1963 municipal boundaries of Draper. It contains the area considered "downtown Draper", the surrounding historic neighborhoods, and the industrial area to the west. It borders key City features that include Freedom Park, the Dan River, and the Purina property.



► The project team held a public meeting in August 2022 to get more perspective from Draper residents.



From the Eden Comprehensive Plan Survey:

What is the top priority you would like the Comprehensive Plan to accomplish or address?

"Revitalize Draper. This historic area sits by the wayside because the community is poor. Taxes get poured into Leaksville. And bring back community recycling."

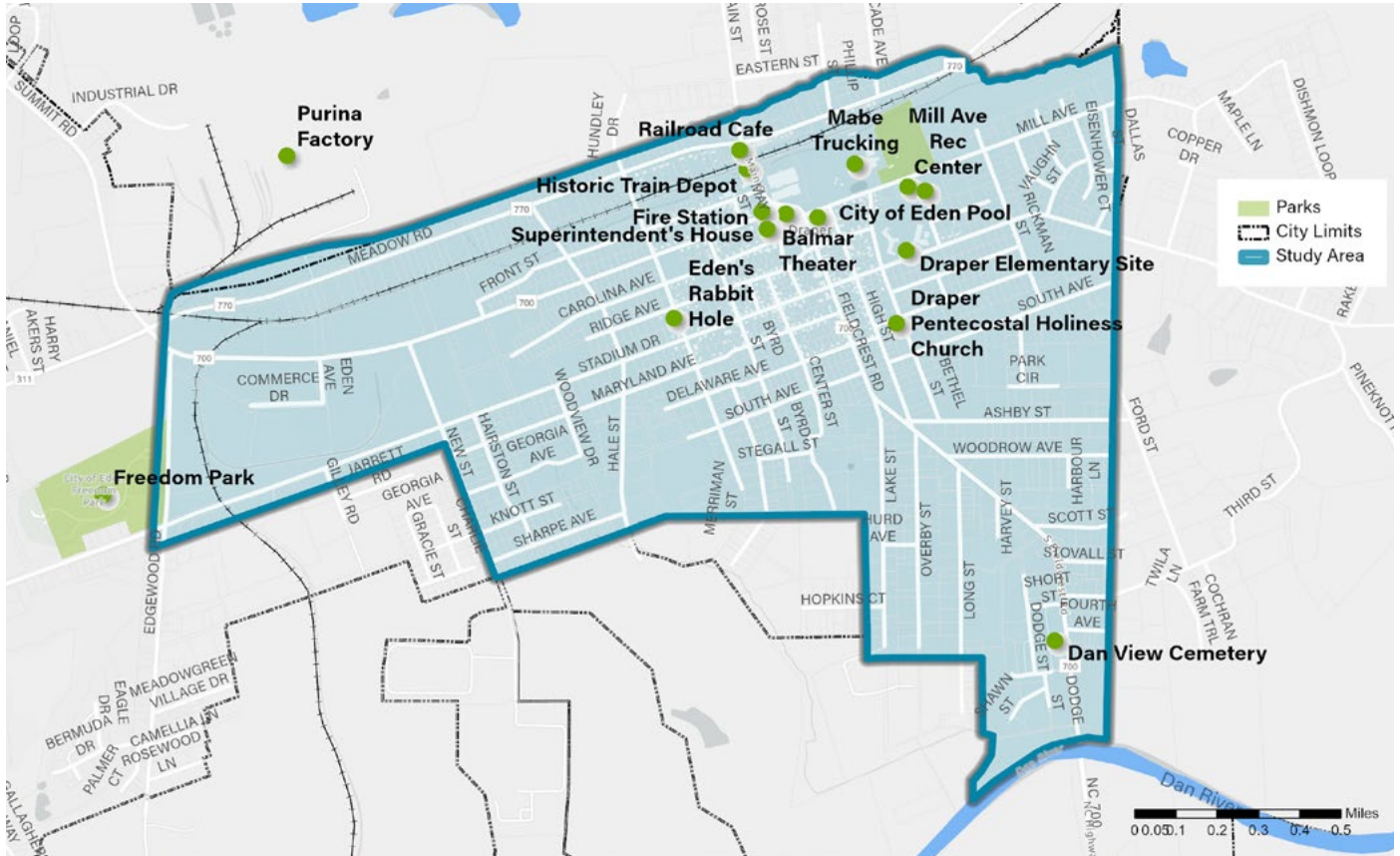


What improvement would you most like to see in Draper?



New businesses and beautification were the most desired improvements for Draper according to the community survey conducted during the Eden Comprehensive Plan.

Study Area Map and Draper Site Photos



Issues

Property Maintenance



Need for More New Businesses / Investment



Streetscape / Pedestrian Improvements Needed



Safety Concerns

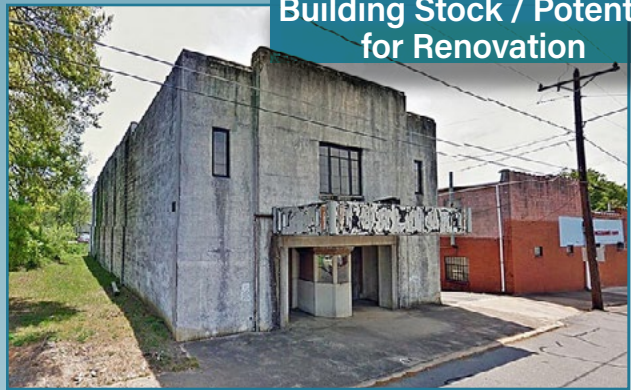


Opportunities

Public Events



Building Stock / Potential for Renovation



Purina Opening



Draper Elementary School Reuse



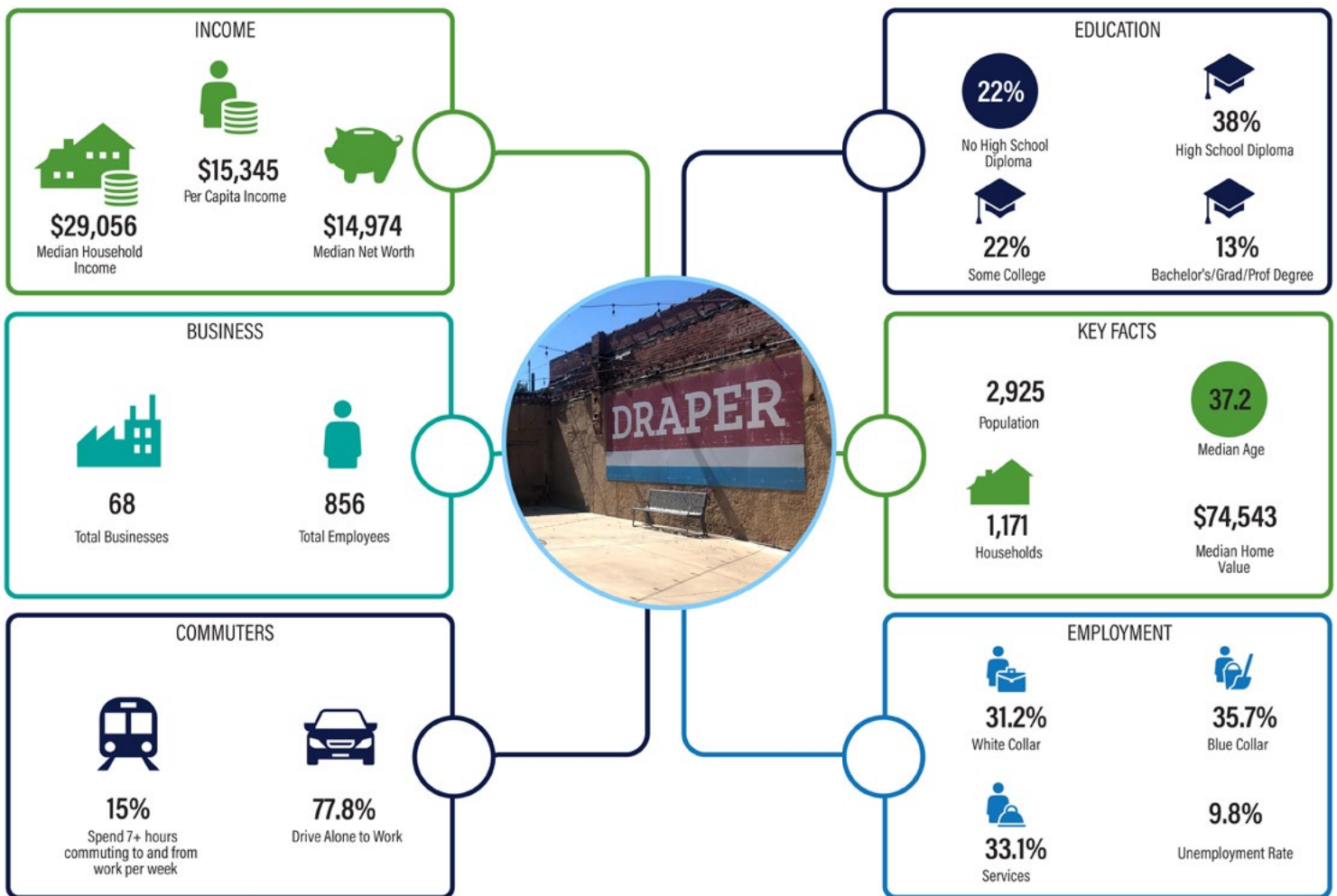
Demographics Narrative

The Draper area is lower income than the median income of Eden as a whole, with the City median household income of \$35,000 compared to the \$29,000. Draper residents make up 18.7% of the population within city limits and 14.7% of the population within the Eden ETJ (extraterritorial jurisdiction). The population is younger, on average, than the rest of Eden: the median age of Eden is 6 years older than that of Draper (37.2 years). The median home value is roughly \$13,000 less than the City median home value, however home

values in the area have been trending upward at 20% per year in the last five years (source: Redfin trends in zip code 27288, accessed December, 2022).

There are roughly 70 businesses operating in Draper as of 2020 with 850 employees working in the area. Nestlé Purina projects 300+ new jobs in Eden by the end of 2024. Although Purina is located just outside of the study area for Draper, it will likely have an impact by providing jobs and more daytime population to the area.

Study Area Demographics



Source: This infographic contains data provided by Esri, Esri and Data Axle, Esri and GfK MRI, American Community Survey (ACS). The vintage of the data is 2021, 2026, 2015-2019.

Public Engagement Overview

The Small Area Plan was developed through in-depth conversations with community members, stakeholders, and City staff. Through a community survey and a public meeting input on issues and priorities for the Draper community helped to shape the recommendations in this plan.

Survey

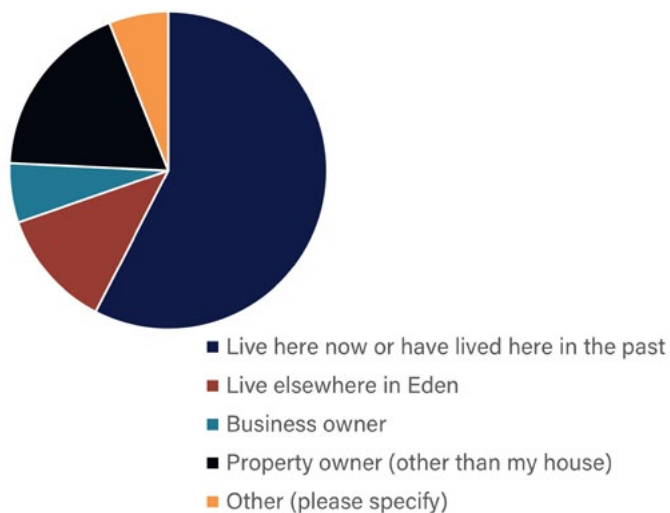
A short, 6- question survey ran through July 2022- September 2022. The community survey was available online and paper copies were available at various locations, including at the public meeting. Respondents were asked

to give input on their biggest priorities, with questions focused on development type, public space, and physical improvements to the Draper area. The survey was promoted on the Town's website, social media, and at the public meeting. Highlights from the results of the survey are included below.

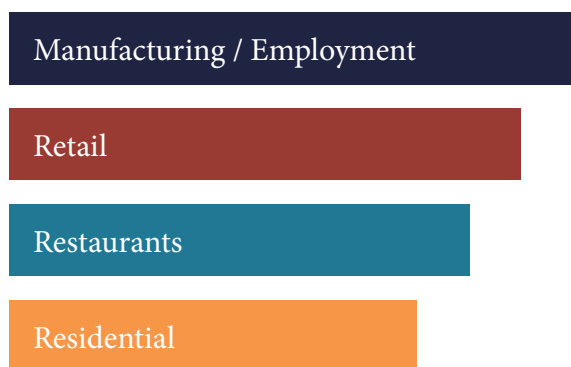
BIGGEST PRIORITIES



HOW DO YOU RELATE TO DRAPER?



DEVELOPMENT PREFERENCE



IMPROVEMENTS TO PUBLIC SPACES



PHYSICAL IMPROVEMENTS (open-ended responses)

Clean up downtown
 The railroad depot needs to be saved
 Incentivize business and property owners to improve/maintain their properties

Public Meeting Input

A public meeting was held on August 18, 2022 at Draper Christian Church and was well attended. Attendees participated in visioning and visual preference activities at the public meeting. The common themes from the meeting can be found below.

TOP PRIORITIES

DOWNTOWN IMPROVEMENTS

New shops and businesses

Building renovations

Historic preservation/restoration

Street trees, lighting, landscaping

LAND USE/DEVELOPMENT

Restaurants

Retail

Offices

Single-family homes

PARKS IMPROVEMENTS AND PROGRAMMING

Greenways

Hiking and nature areas

Pollinator garden

Playground / nature play

"I love Draper, it's my home. I want to see Draper grow in businesses, good decent places to shop and eat."

COMMENT THEMES

- ▶ Remember and celebrate Draper's history
- ▶ Address property maintenance issues
- ▶ Downtown building renovations
- ▶ Increase number of businesses
- ▶ Increase lighting in downtown

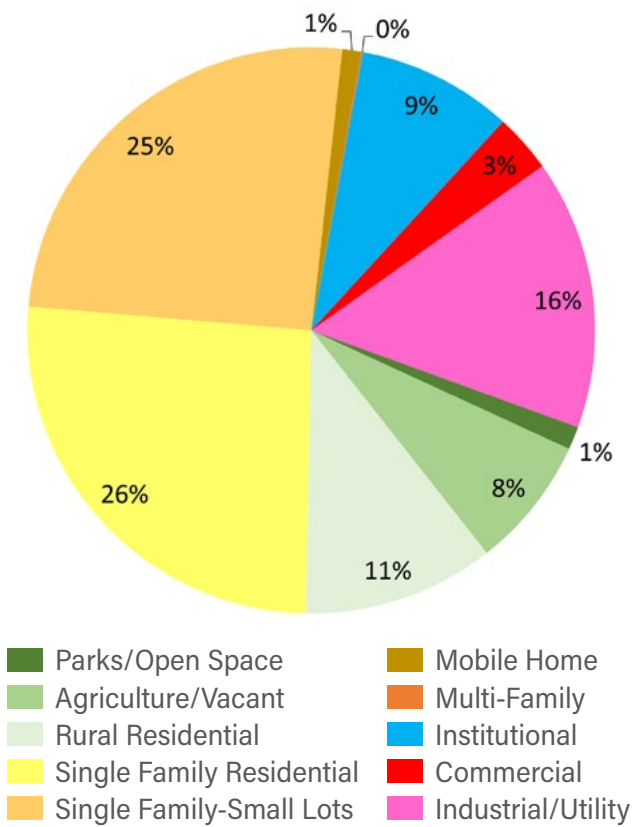


Analysis

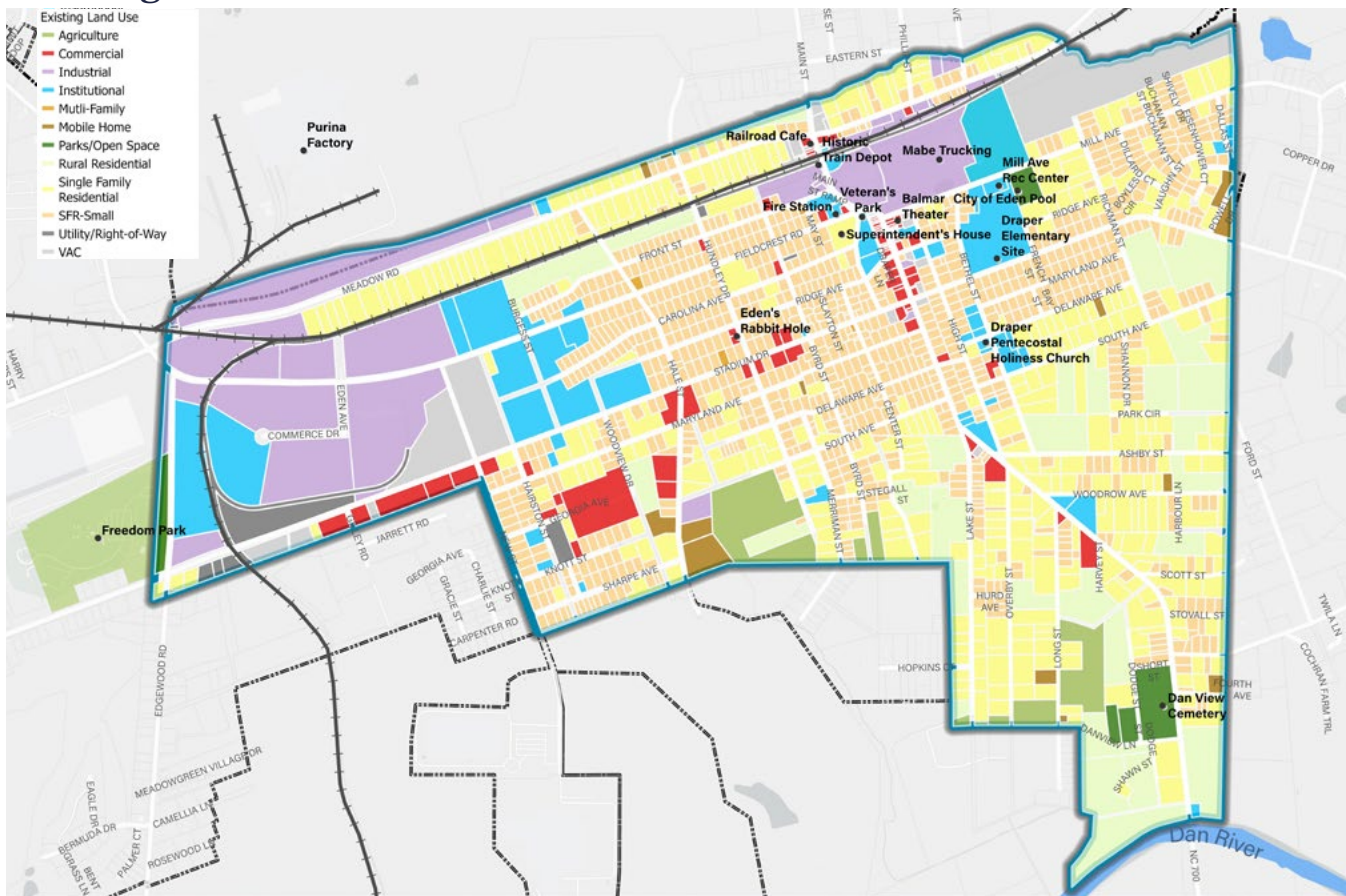
Existing Land Use

Draper has been one of the historical business centers for the City of Eden. Industrial, commercial and office uses occupy 28% of the land area. Many commercial areas date to Draper's time as an independent City, prior to the merger with Leaksville, Spray and the Metropolitan Sanitary District to form the City of Eden in 1967. Commercial uses are concentrated along Fieldcrest Road, east of Main Street, near the intersection of Main Street and Meadow Road and in a few commercial districts along and south of Stadium Drive. The former German-American Mill site is now occupied by Mabe Trucking. On the western end of the Study Area lies a number of large industrial businesses in the vicinity of Eden Avenue and Commerce Drive.

Existing Land Use Chart



Existing Land Use



Source: Rockingham County Tax Data 2022

Residential

Land uses transition to residential neighborhoods west and east of Fieldcrest Road. Residential uses occupy 63% of the land area. Historic mill houses line streets to the west of Main Street including areas along Front Street, Fieldcrest Road, Carolina Avenue and Ridge Avenue and west and east of Fieldcrest Road along Stadium Drive and Maryland Avenue. Homes in these areas were typically built between 1915 and 1940 and are generally situated on lots between one third an acre and one half an acre. Blocks are typically 350 ft deep with lots generally 90ft wide and 150ft deep. Side loaded homes are typical. Single family homes are generally single story and 1200-1500 square feet, although some larger structures exist, including the Superintendents House (a historic home on a hill overlooking Main Street) and some attached residential and apartments. There are a number of vacant parcels in south and east Draper that could accommodate additional residential development.

Business Activity and Events

The Draper Area Merchants Association meets monthly and coordinates events such as Shagging on Fieldcrest. Data from Esri indicates there are a total of 68 businesses in the study area that employ 856 employees. Long-time businesses in the study area include Drapers Cycle, the Railroad Cafe and Mabe Trucking. Relatively new businesses include Purlina's Gift Baskets and the Mustard Seed Cafe and Catering Company. Nestle recently bought the nearby Miller Brewing factory and is doing extensive renovations and expansions. During the development of the recent Comprehensive Plan many residents and business owners expressed concern about the use of downtown buildings for storage.

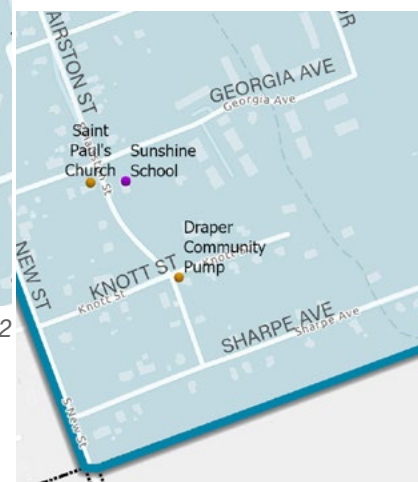
History and Resources

Draper began as a model mill village founded by the Marshall Field Company in 1905. Arthur Draper was the original architect. The original boundaries were the railroad on the north,

Historic Resource Map



Source: North Carolina Historic Preservation Office 2022



Virginia Avenue to the south, Byrd Street to the west, and Church Street to the east. The German-American Co. built a large textile mill in the area of Draper called "The Meadows." There were two stores and a Baptist Church by 1906. The Danville and Western railway depot was constructed in 1907. The Marshall Field and Company acquired the local mill in 1911. Afterward, the Town of Draper grew rapidly until the depression. A new building phase began after the depression in 1937. In 1967, the residents of Draper, Leaksville, and Spray voted to consolidate their towns into one city-- the City of Eden.

Downtown Draper was study listed in 2005 and includes approximately 20 structures, including the Draper Depot, Balmar Theater, and Draper Teacherage. The study list is a preliminary step in reviewing potential nominations for the National Register of Historic Places; this process screens out properties that are clearly not eligible.

The first store in Downtown Draper served as a market through which Rockingham Land Company sold their beef to feed construction worker of the mill. By 1920, Draper had acquired a school and Y.M.C.A., new churches, a welfare building, and new businesses. By the late 1930s, the Y.M.C.A. opened a theater that accommodated up to 350 people.

The African American community known as Jamestown was located on the southwest side of town, known as Jamestown. The African American community had their own schools and churches. Many people in this community worked for Marshall Field in various jobs.

The Draper area includes 3 locally significant landmarks: Draper Elementary School (2006), Sunshine School (2006), the Superintendent's house (1985). There are many homes in the area that have been surveyed but are not on the National Register of Historic Places and/or have not been deemed locally significant.



► Draper Plaza was created recently and serves as a public space for events in Downtown Draper.

Transportation Infrastructure and Public Space

The City of Eden has been active in improving the Draper area. In 2012 sidewalks with brick banding were installed along with stamped concrete crosswalks and other streetscape improvements. Additionally recent infrastructure improvements include resurfacing and striping of Draper Lane just west of Fieldcrest Road, Mill Avenue resurfacing, improvements to Carolina Avenue, Delaware Avenue and water and sewer upgrades. The city also created a plaza in Draper by purchasing a building, demolishing the interior but preserving the façade to create a public space that is used for events and by residents.

Pedestrian Infrastructure

Good sidewalks exist along Fieldcrest Rd between Main Street and Ridge Avenue. South of Ridge Avenue intermittent sidewalks are present, but large driveways, power poles and low curbs in need of maintenance make walking less comfortable. Sidewalks exist on a few east/west streets including Carolina Avenue and Ridge Avenue. Sidewalk connections have been proposed in the recent Pedestrian Plan (2021) along Front Street, Fieldcrest Road and Hundley Drive. The Parks and Recreation Plan showed trail and greenway connections west to Freedom Park and Spray and south to the Dan River.

Natural Resources and Parks

Draper is located in a relatively flat area between Dry Creek which runs eastward, parallel to the railroad and the Dan River to the south. A few tributaries extend upstream from Dry Creek and the Dan River into neighborhoods. Many of the residential area

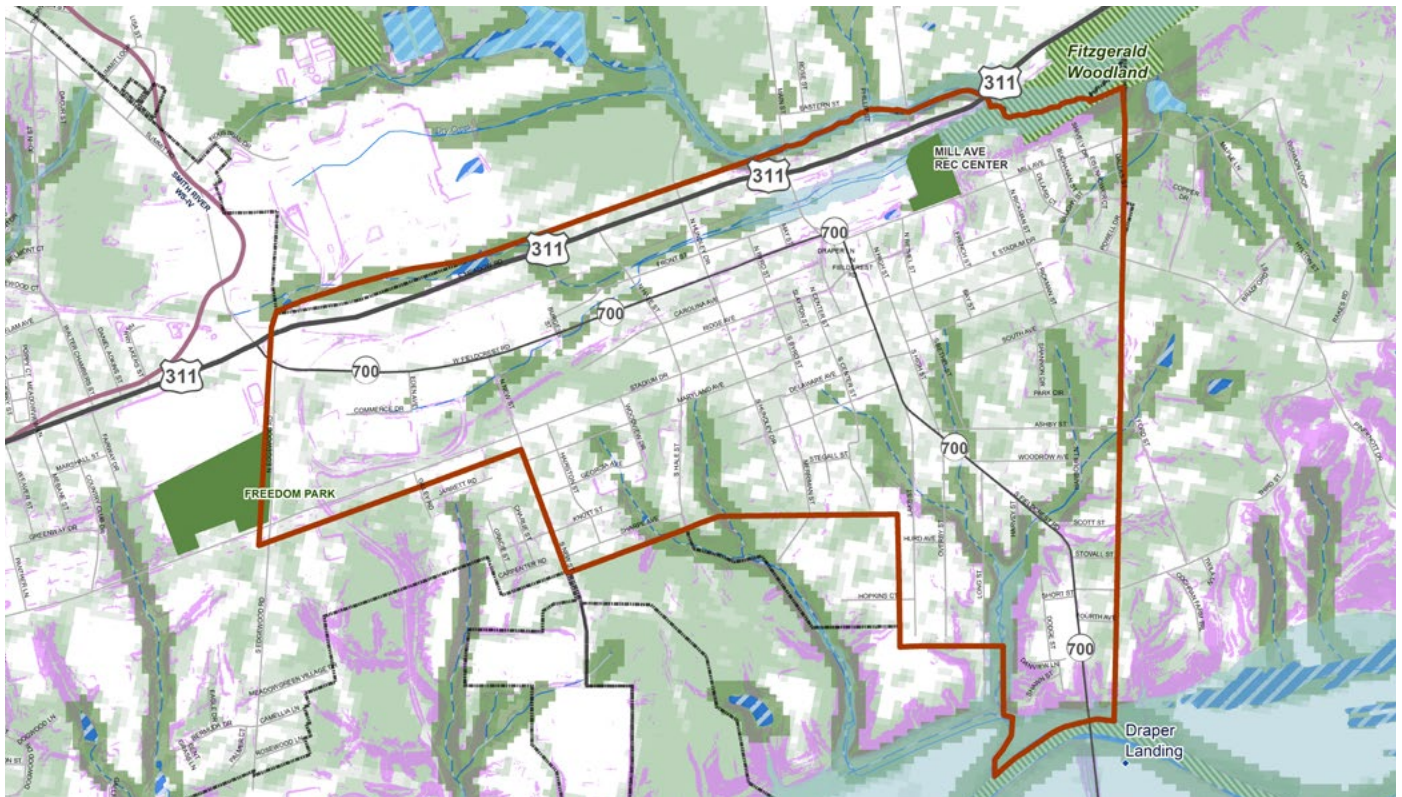
east and west of downtown Draper have mature trees on their interior. Many undeveloped areas exist with larger blocks of tree canopy to the southwest and east of the study area. A large floodplain extends on either side of the Dan River. A linear floodplain is also located along Dry Creek. Steep slopes are located along tributaries and to the southeast of Draper .unt.

The City of Eden maintains a number of parks and recreation facilities in the Draper area including:

- » Mill Avenue Recreation Center
- » City of Eden Pool
- » Draper Plaza
- » Draper Landing

There are plans to expand Draper Landing to include a better boat access and ramp on the Dan River, south of Draper.

Natural Resources Map



Recommendations

These recommendations for Draper are based on the analysis and stakeholder input.

Small Area Plan Goals



- 
Encourage activities, visitation and investments in the community.
- 
Support businesses downtown and in key areas.
- 
Focus code enforcement to address building and property maintenance.
- 
Study and implement infrastructure and neighborhood improvements.
- 
Celebrate and tell the history of the Draper community.



Activities, Visitation and Safety


► Events

Continue supporting events in Downtown Draper.

- 
 The City of Eden can help support events in Draper by continuing to coordinate between departments, advertising, and improving infrastructure to support events.
- 
 Track event participation and attendance and use the data to improve events and prioritize public improvements.


► Wayfinding

Create an identity and make Draper more accessible for new visitors through a wayfinding program.

- 
 Additional signage should be added to clearly guide visitors to parking areas.


► Parking

Upgrade the existing public parking lot which is located just east of Fieldcrest Road and accessed via North High Street.


- 
 Improvements should include resurfacing and restriping parking lot, adding handicap spaces and signage and directional signage to the parking lot and to businesses.

► Lighting and Safety

Increase lighting in Draper to promote safety, particularly leading to and within public parking areas.

- 
 Consider extending the pedestrian-oriented decorative lampposts farther south on Fieldcrest Road (i.e. from Ridge Road to just south of Stadium Drive).

Coordinate with the City of Eden Police Department to conduct regular patrols near commercial and recreation areas.

- 
 Specific concerns were voiced during the planning process about suspected criminal activity on Stadium Drive and trespassing at the City of Eden Pool.

Land Use and Investment

▶ Code Enforcement and Junk Properties

Continue and expand enforcement of local ordinances for residential and commercial properties.

Consider additional regulations that discourage vacant buildings in downtown Draper.

Increase focused code enforcement efforts.

- Priorities include building maintenance in Downtown Draper and removal of junk cars and litter from residential properties along primary roads including Stadium Drive, Meadow Road and Fieldcrest Road.

▶ Building Maintenance and Upfit

Encourage adaptive reuse of the existing building stock.

Administer and pursue grants for home improvements in aging residential areas.

- Utilize the Community Development Block Grant (CDBG) for Neighborhood Revitalization for sidewalk and drainage improvements and housing rehabilitation in the Draper areas.

- Provide information to homeowners on available weatherization assistance grants (i.e. North Carolina's Weatherization Assistance Program (NCWAP).

- Pursue additional federal and state grants for assistance to homeowners.

Utilize incentives for businesses and building owners to encourage investment in Draper.

- Encourage use of City facade and building rehab grant programs in Draper.

▶ Infill and Redevelopment

Encourage context-sensitive infill and redevelopment, including a variety of residential and commercial types.

- Consider an infill incentive program to offset development fees or construction costs for projects meeting certain criteria in areas with existing infrastructure and services.

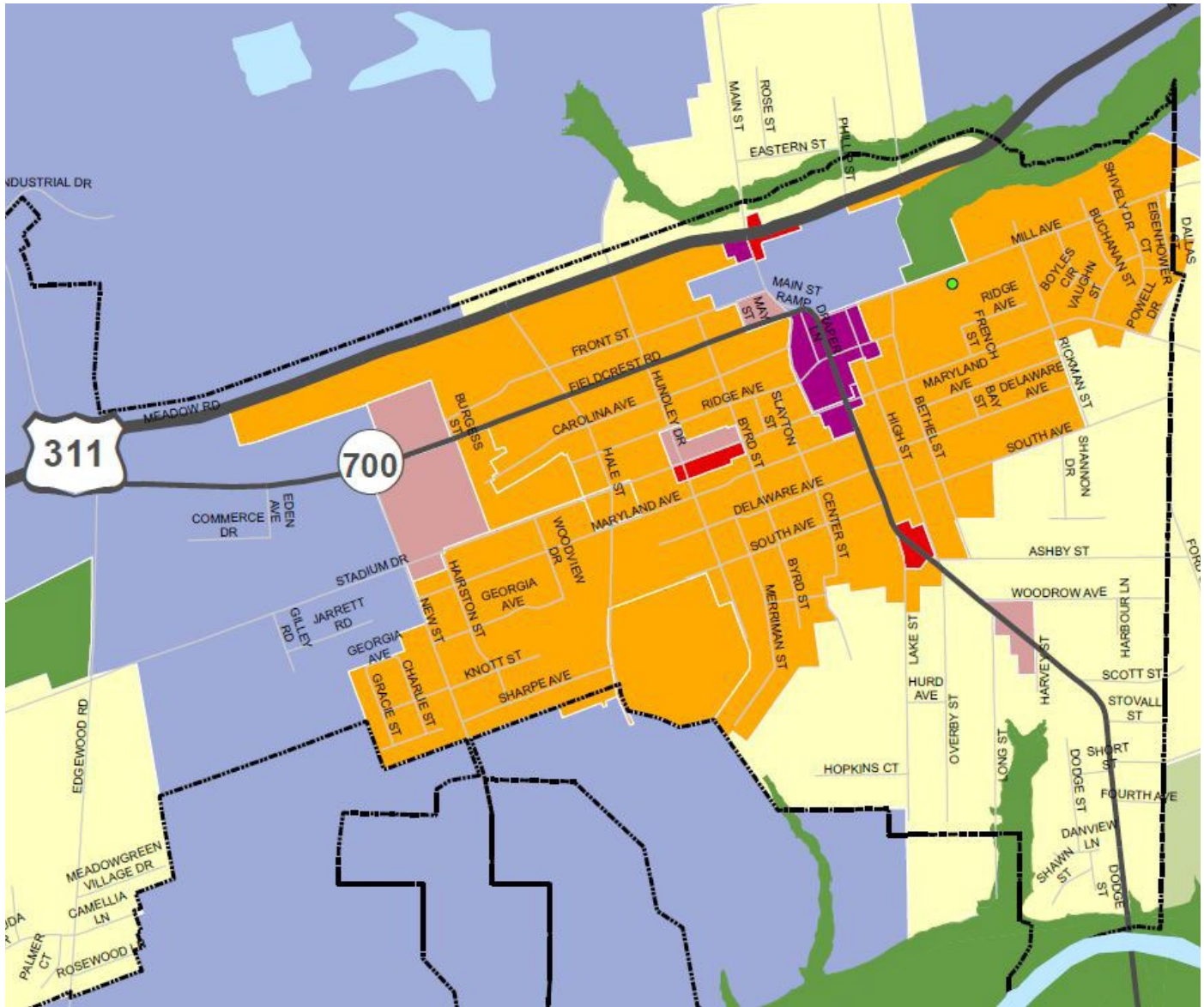
Encourage building and site design that honors the form, scale and character of Draper.

- Most commercial uses should be located downtown, in existing industrial areas and/or on key roadways such as Meadow Road, Fieldcrest Road, and Stadium Drive.



- ▶ Events such as Shagging on Fieldcrest and the annual Draper Christmas Parade bring people together and help local businesses.

Future Land Use



Future Land Use

- | | |
|---|---|
| ■ Parks and Open Space (OS) | ■ Transitional (TR) |
| ■ Rural Residential (RR) | ■ Town Center (TC) |
| ■ Suburban Residential (SR) | ■ Corridor Commercial (CC) |
| ■ Traditional Neighborhood (TN) | ■ Employment Center (EC) |

► The Future Land Use Map from the City of Eden Comprehensive Plan, shown above, makes recommendations related to land use and development in the Draper area. The map shows areas where nonresidential uses, such as commercial, retail, office and industrial should be concentrated (primarily in the Town Center, Corridor Commercial, Transitional and Employment Center areas). The Future Land Use Map also shows residential areas with different characters. The Traditional Neighborhood areas in Draper include the residential mill village and older residential areas located on grid streets. In these areas density of 4-8 units per acre is appropriate with mix of single family and house-scale attached residential. The Suburban Residential area shows where new neighborhoods of less than 4 dwelling units per acre are appropriate.

- Residential uses should be mostly single family homes, although attached residential may be acceptable in some areas. For instance, some residential over commercial or stand alone multi-family buildings are appropriate in Town Center and Transitional Areas on the Future Land Use Map from the City of Eden Comprehensive Plan. Also in Traditional Neighborhood areas some small-scale attached residential is appropriate, especially on corner lots and as a transition from commercial to residential uses.

► Residential

Increase and diversify housing options within Draper through rezoning decisions and targeted amendments to the zoning ordinance.

- Consider rezonings from the R12 zoning district to NMX or R-6 to allow for attached residential in areas shown as Town Center and Transitional on the Future Land Use Map in the Eden Comprehensive Plan.
- Consider amending lot width minimums in R12. This process could include an accounting of nonconforming lots and then the creation of solution that addresses the majority of nonconformities.
- Consider text amendments or a new district to allow for smaller lots and house-scale multi-family in some areas. The current R-6 zoning district not ideal because it allows manufactured homes which are not recommended in Draper.

Encourage investment in new residential units.

- Encourage residential-over-commercial, townhomes, house-scale multifamily (including triplexes and quadplexes)



- This house-scale apartment built in the 1970s is located on a prominent corner south of downtown Draper. It is an example of "missing middle housing" that can provide a mix of housing types while preserving the character of neighborhoods.

Business Support

► Support Local Businesses

Coordinate regularly with the Draper Merchants' Association and property owners to identify priority issues.

Track progress on recommendations in the Draper Small Area Plan.

- Create an annual meeting or report to discuss and track public and private investment and recent successes and challenges in the area.

► Recruit New Businesses to the Draper Area

Explore incentives and partnerships with organizations or businesses that fulfill community needs.

- Priorities expressed during the planning process include new restaurants, shops, a bank and a grocery store.

Parks and Community Assets

► Public Spaces

Prioritize improvements to Draper Elementary School and the grounds.

- Consider reuse of building for an after school program, gym space, pickleball courts, incubator space and/or classes.
- Study potential improvements to the grounds including upgrades to the playground equipment and baseball field.
- Additional improvements that should be considered include improving sight visibility, landscaping, as well as adding parking and vehicular access south of the Mill Avenue Recreation Center.

Study feasibility of the addition of public restrooms at Draper Plaza.

Enhance public spaces throughout Draper.

- Increase sidewalk width where possible (consider widening sidewalks and/or the addition of bulb-outs at intersections to slow traffic)
- Study the feasibility of enhancing existing public spaces (i.e. the Veterans Memorial).

► Gateways and Beautification

Maintain and enhance plantings.

- Incorporate additional plantings including colorful flowers, ornamental grasses and trees where possible. Plant selections should feature low-maintenance varieties and native plants. Opportunities include city-owned lands and street rights-of-way.

Improve access to nearby natural assets.

- Enhance sidewalk and greenway connections to Draper, including connections west to the Smith River Greenway and south to the Dan River.



- The City of Eden recently acquired the Draper Elementary School. Plans for building upgrades and reuse are underway. A concept showing ideas for site improvements and programming is included on page 20.

History

► Celebrate Draper's history.

Work with the Historic Preservation Commission on locations of historical markers.

- Historical markers highlight objective facts about an area's past; markers can include plaques or sidewalk markers.

Work with the Historic Preservation Commission and the community to designate local landmarks.

- See LU 10.1 in the City of Eden's Comprehensive Plan

Hold a public meeting to educate property owners/developers about available tax credits related to historic preservation and affordable housing.

▶ **Draper Train Depot**

Work to preserve and restore the Draper Depot.

- Encourage rehabilitation and appropriate reuse as a business.
- Consider pursuing grant funds to purchase, restore and/or move the Depot. Coordination with current owner will be necessary.

▶ **Balmar Theater**

Encourage the preservation and reuse of the Balmar Theater.

- Encourage the pursuit of grant funds to assist in the restoration of the Theater.
- Coordinate with property owners in the vicinity to determine opportunities for infill development and reuse of the theater.

▶ **Sunshine School (Rosenwald School)**

Develop partnerships with community organizations and determine ways to tell the history of the African American community in Draper.

- Seek out opportunities to celebrate the significant history of the Draper Sunshine School and restoration and/or reuse of the campus.

▶ **Draper Community Well**

Consider a marker or other improvements to designate historic Draper Community Well / Pump

- This historic feature is located at the corner of Hairston Street and Knott Street a block away from the Sunshine School.

LOCAL LANDMARK DESIGNATIONS

Local landmark designations are eligible to apply for an annual 50% property tax deferral as long as the property's important historic features are maintained.

▶ **Draper Elementary**

- Consider utilizing wings of the elementary school to fulfill the community's needs.
- Engage with the community to develop plans and programming for the elementary school

▶ **Mill Village**

- Hold additional public meetings with property owners in the mill village to determine shared needs of residents and property owners.
 - » Discussions could include priorities for grants and ways to encourage investment while maintaining the existing character. Options could include a character overlay or local historic district.

▶ **Old Mill Site**

- Seek out opportunities for historical marker locations (in public ROW, along new trails/greenways) about the history of the "The Meadows" textile mill.



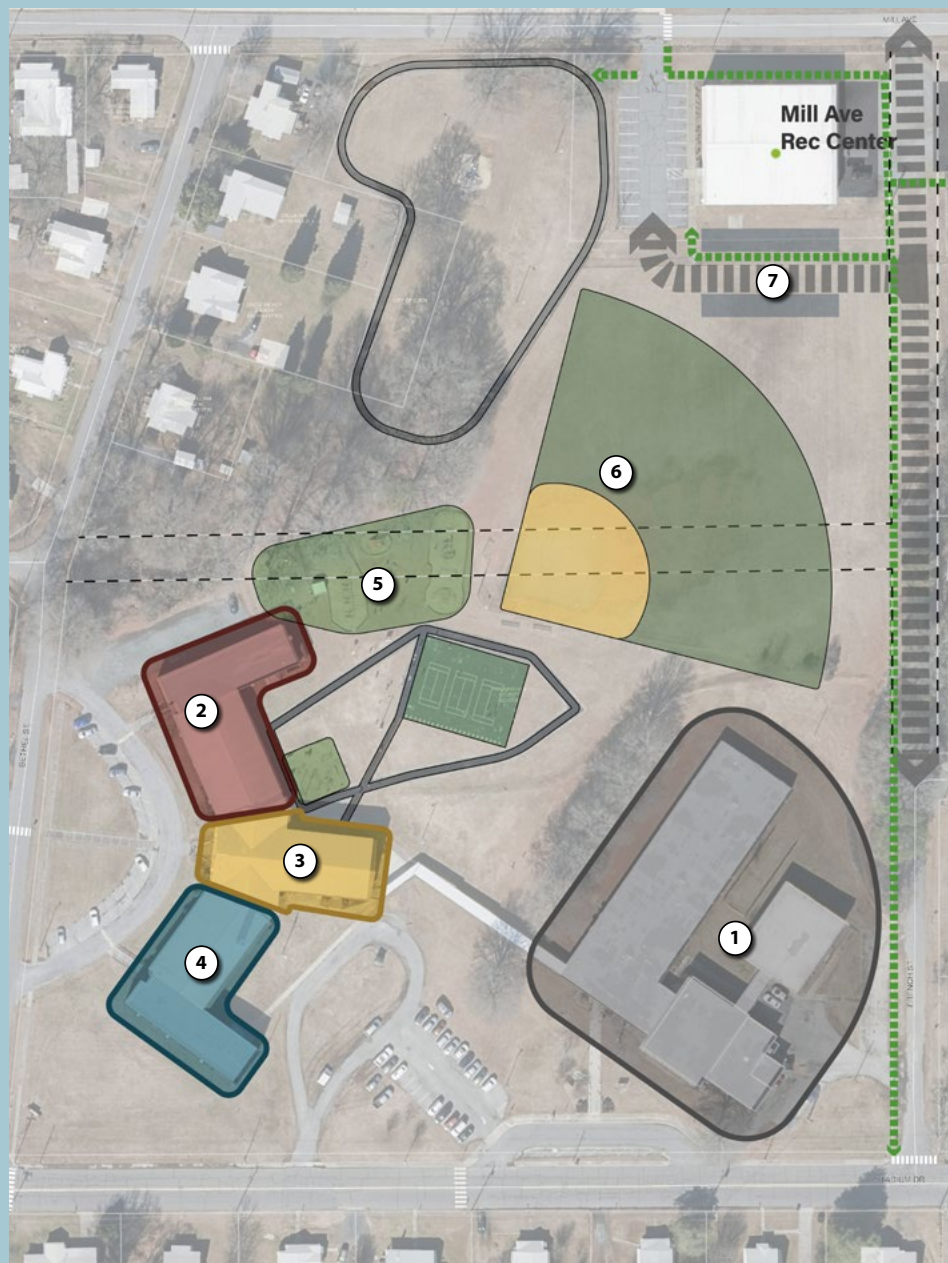
- ▶ Candidates for local landmark designation include the Draper Depot, Balmar Theater and other historic structures in the area.

OPTIONS FOR REUSE OF DRAPER ELEMENTARY

A New Community Asset.

The Draper Elementary School was recently acquired by the City of Eden from Rockingham County Schools. This school will continue to be an asset to the Draper community. The building on the east side of the property is anticipated to continue to be a Head Start center. The building on the western side of the property needs to be renovated and could be programmed as a combination of things to serve the community. More work is needed to determine uses, but ideas include an after school program, "gymnasium" with pickleball courts, and incubator and classroom space. Outdoor spaces could also be improved, as well as access from the School to the Mill Avenue Rec Center.

Reuse Diagram



Potential Site Elements

- ① Head Start Center (Existing)
- ② After School Program
- ③ "Gymnasium" with Pickleball Courts
- ④ Incubator Space and Classrooms
- ⑤ Upgrade Playground
- ⑥ Upgrade Ball Field
- ⑦ Access Improvements and Additional Parking

Transportation and Infrastructure

▶ Streetscape and Pedestrian Improvements

Refresh crosswalks in Downtown Draper.

Study the extension of streetscape improvements south along Fieldcrest Road from their current terminus at Ridge Avenue to Stadium Drive.

- Stadium Drive is a primary entryway into downtown Draper. Streetscape improvements could include sidewalk improvements, access management and the addition of lighting and landscaping where feasible.
- A streetscape study should be conducted to determine feasibility and conceptual plan for improvements. This study should also include coordination with businesses and landowners to determine priorities and constraints.



▶ Left: The City of Eden has invested in previous street improvements in Downtown Draper including the addition of furnishings, pedestrian lighting, wide sidewalks with brick banding and crosswalks along Fieldcrest Road in 2012. The existing improvements extend from Main Street along Fieldcrest Road, south to Ridge Avenue.

▶ Right: South of Ridge Avenue travel lanes widen, on-street parking and sidewalks are inconsistent. Streetscape improvements could include sidewalk improvements, access management and the addition of pedestrian lighting and landscaping where feasible.

Pursue state and federal grants to improve streets in the Draper Area.

▶ Sidewalks

Inventory and address ADA issues in Downtown Draper and at Mill Avenue Park and Recreation Center.

Prioritize projects to address sidewalk gaps as identified in the Eden Pedestrian Plan.

▶ Trash and Recycling

Coordinate with businesses and building owners to identify opportunities for shared waste containers and/or cardboard recycling.

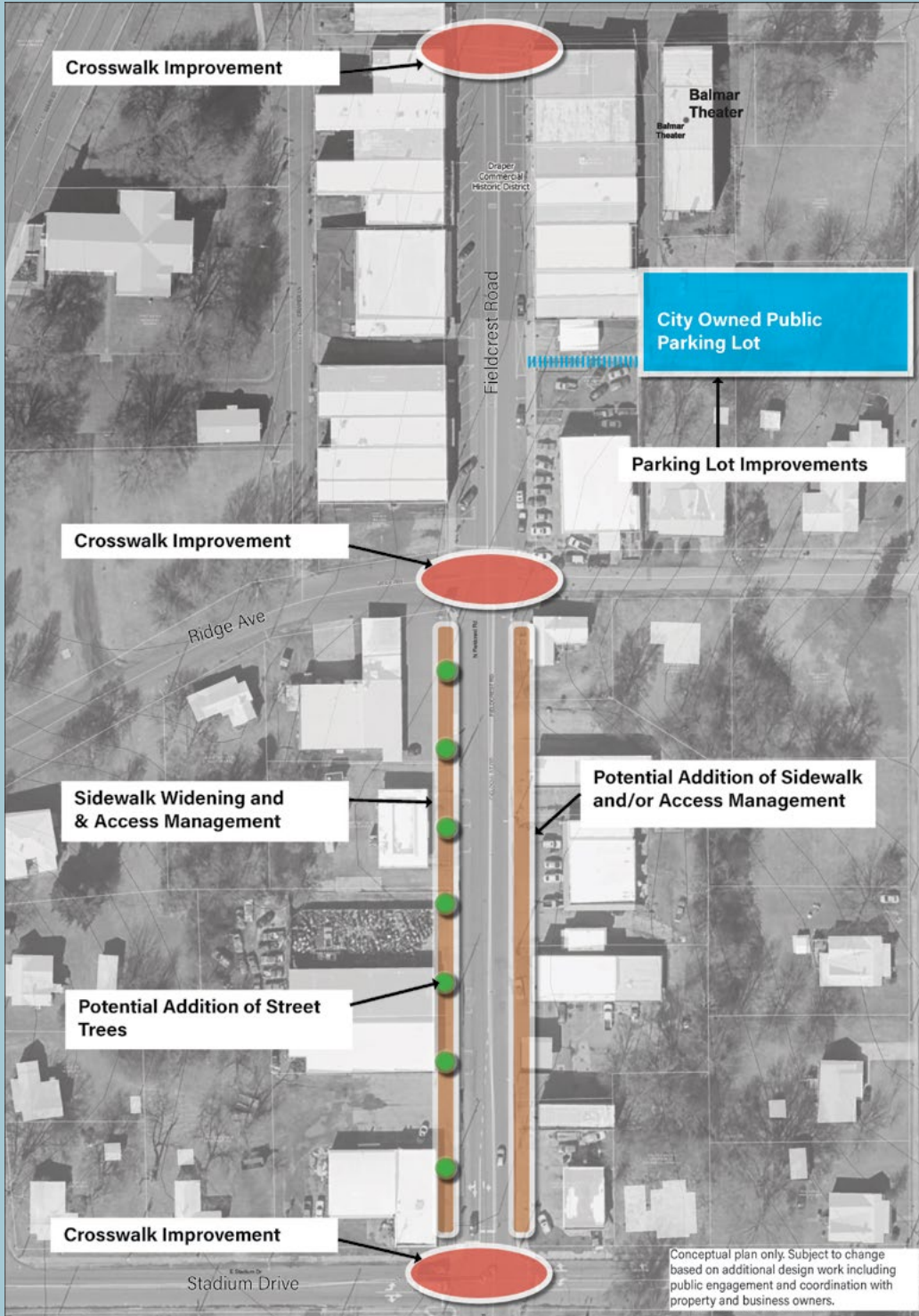
▶ Fire Station

Continue planned upgrades to City of Eden Draper Fire Station.



DOWNTOWN DRAPER STREETScape CONCEPT

Pedestrian and beautification improvements are needed south of Ridge Avenue in Draper. These could include crosswalk improvements, sidewalk widening, access management and the addition of lighting and landscaping where feasible.



DRAPER

SMALL AREA PLAN





**City Manager's Report
June 2023**

City Manager Jon Mendenhall

ADMINISTRATION DEPARTMENT

Marketing & Communications Office

Thank you to everyone who attended our sold out Grown & Gathered and the 20th Annual Piedmont Pottery Festival. Both events were well attended and everyone had a great time.

A HUGE THANK YOU goes out to Nestle Purina for the grant that enabled us to upgrade and enhance our dog park. It is now called the Purina Bark Park is located on the back side of Freedom Park beside the Skate Park. It is so awesome and our furry friends are having fun. We had a great celebration that was well attended by both our 2 legged and 4 legged friends. The project was an awesome experience and we had a great time getting to know the Purina staff who are just THE BEST!

Mark your calendars for Saturday, July 22 because SHAGGIN' ON FIELDCREST is back for their 10 Year Anniversary. Craig Woolard and the Embers will be performing from 7 p.m. until 10 p.m. Also, featured will be music from Papa Thump and The Pink Slips. There will be lots of good food, Eden Rotary Beer Garden, Childress Winery, Preppy Pirate Outfitters and 94.9 The Surf. Admission is FREE. Bring your lawn chairs but please don't bring your coolers.

We are accepting vendor applications for RiverFest coming up September 15 & 16. You can find applications at EDENNC.US or you may come by City Hall and pick one up. Get them in now. We sold out last year.

PARKS & RECREATION DEPARTMENT

Recreation Division

Bridge Street: The Bridge Street Recreation Center has been busy with daily walkers and fitness classes. It has been rented out for parties and special events during the month of May.

Mill Avenue: Pickleball is being played Monday, Tuesday, Wednesday and Friday. Cornhole has started back up. Kids are coming down after school to playing basketball and hang out.

Aquatics: The Mill Avenue Pool and the Freedom Park Splash Pad are officially open now. We have hired four lifeguards and splash pad attendants for the season. The pool/splash pad have already had several special events take place.

Freedom Park: Special Olympics was held at the park during May which was a huge success of 500 attendees. The Prowlers baseball and softball is coming to the end of their season at Freedom Park. Weekend tournaments with either adult or girls fast pitch are still moving along. Starting in May the Car Cruise In will start on the last Saturday in the month but the first Cruise In was a wash out due to weather.

Senior Citizens: We had 764 visits during the month of May. Our seniors are taking advantage of senior center programs. The outdoor programs have picked up now since warmer weather is here.

Special Events: The Purina Bark Park officially opened on May 21 with a ribbon cutting and activities.

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

Inspections & Permitting

Local code complaints have picked up as they typically do this time of year; however, it is now mowing season and the high grass complaints are steadily coming in either by phone or through our *SeeClickFix* app available to all citizens. The high grass complaints will continue to increase daily as the season progresses. While we still only have one inspector, complaints continue to be addressed in a timely manner and notices are sent as needed. The inspector is also checking for other code violations as he sees them out in the field and submitting them to have notices sent to the property owners. Most abatements are being handled by outside contractors as Facility Maintenance is tied up with other duties.

Building and trade permit applications are received in person, via e-mail and by fax then issued from the Planning Department. Hard copies of permits are mailed to contractors usually once a week on Friday. A copy of each permit is filed by property address for each trade.

There were 284 inspections conducted in the month of May. The required semi-annual fire inspections on all 5 schools were completed as well as the required annual fire inspections of the hospital and nursing home during this time. There are currently 5 new single-family residences under construction. The Nestle Purina project continues to rapidly advance along with the new Stone Tower Joe café. The new Carolina QuikCare should be starting soon once the D.O.T encroachment agreement is complete.

Boards & Commissions

The Community Appearance Commission (CAC) met for the month of May and discussed future projects. The Historic Preservation Commission (HPC) met for the month of May and discussed future projects. The Tree Board met for the month of May and planted a pink dogwood tree at Grogan Park “In Honor of Debbie Galloway, for her 20 years of service to the City of Eden and The Tree Board”. Staff had a site visit with representatives of Joyce Monuments in Eden to get quotes/recommendations for a bronze plaque depicting the quoted line above for the pink dogwood tree. Staff received the Tree City USA 29 YEARS decals and small 2022 bronze plaque. Staff forwarded the decals to the Streets Division of Public Works to be placed on the two Tree City USA signs throughout the City.

Planning – Community & Economic Development

Gus Shinn Mural Project

Staff presented the HPC with two bids for the Gus Shinn Mural Project. HPC members selected Amy & Brandon Hardison to commission the mural. Staff had a consultation with the selected artists to go over the details and specifics of the mural project. The artists plan to start working on the mural project in the month of June. Staff also plans to coordinate with the City Attorney for MOUs for the artists and the property owner of the mural site location Ramsey’s Barber Shop in Spray. Staff had a site visit with representatives of Joyce Monuments in Eden to get quotes/recommendations for a bronze plaque for the Gus Shin Mural Project. Staff plans to get the bronze plaque in the month of June.

Ferry Road Sign Project

Staff plans to have the sign made for the Ferry Road Sign Project in the upcoming month of June.

Downtown Planters

Staff had site visits with representatives of Lewis Nursery to get quotes/recommendations for the twenty-six planters in the Draper downtown area and the four planters in The Boulevard downtown area. Staff plans to get the Planters Project completed in the month of June.

Veterans Park Beautification Project

Staff had site visits with representatives from Irving Farms and Lewis Nursery for quotes/recommendations for the Veterans Park Beautification Project in Draper, specifically the blighted embankment area along Main Street. Staff plans to present the quotes and renderings to the CAC at their regular monthly meeting in June.

POLICE DEPARTMENT

The F-150 Police Responder (Patrol) has been fielded. This completes the FY 2022-23 vehicle replacement plan.

Trainee Philip Martin has transferred to the GTCC BLET where he was selected as the class leader. His test scores have been good since the transfer and he is on track to graduate the beginning of August.

We are currently conducting background investigations on four potential hires. If selected three would begin BLET in July/August 2023 as full-time trainees. We anticipate hiring the fourth applicant (transfer) as soon as we receive approval from North Carolina Training and Standards.

FIRE DEPARTMENT

Eden Fire continues to be available 24/7 for emergency calls having answered 86 such calls in the month of May. Personnel are working very well on teamwork and training having completed 33 training events totaling 733 manhours of training. Eden Fire personnel have also gained credentials adding a new State Level II Inspector and 5 new Level II Instructors from the existing personnel complement.

PUBLIC WORKS DEPARTMENT

Streets

Work is continuing on the Monroe Street streetscape project. As this is the busy season for vegetative maintenance on the roadside right-of-way, the right-of-way mower has been busy along with numerous employees from across the division to keep the roadsides looking professional. Roadside litter crews are also gearing up using seasonal part-time employees to redouble efforts at keeping the city looking clean.

Construction

Construction completed a large drainage improvement project in the Monroe Street corridor to catch stormwater flows in the vicinity of Monroe and Jay Streets and to channelize those flows in order to eliminate the volume of sheet flow water traveling down gradient on that street. Construction is turning their attention next to Maple Lane for a waterline installation project followed by a grading project at Freedom Park to collect and divert sheet flow stormwater coming off the ballfields and pooling in the vicinity of the Dog Park.

Collections & Distribution

Work is progressing in this unit; routine items include repairs/replacements/clearing blockages as needed and maintaining outfalls. Inventory availability has been a problem as supply chain shortages are still a problem for several types of parts used commonly for water meters and meter bases.

Solid Waste

Solid Waste participated in the free dump week in partnership with the Rockingham County landfill and hauled numerous amounts of solid waste to the landfill for disposal.

Fleet

Fleet has demonstrated and reviewed fleet management software and is preparing a procurement for that software in the new fiscal year. Work is on-going on the new city fuel system and depot, the system is on order, the pad is graded and ready for construction.

Utilities

The Wastewater Treatment Plant is working on headworks – bar screens as part of identified capital improvement to the plant.

The Water Treatment Plant is working on making building upgrades to the filter gallery hall and the laboratory. Work is waiting contractor availability for upgrades to the generator switchgear.

Water Resources is working on installing generators at pump stations that do not have generators and upgrading the layout of pump stations to make emergency pump operations more efficient.

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, May 16, 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
- Roy 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 Merinda Easley, Shaw Christian Church, gave an invocation followed by the Pledge of Allegiance led by members of the Leaksville-Spray Elementary School’s Kickball Team 2.

PROCLAMATIONS AND PRESENTATIONS:

- a. Proclamation: Public Works Week.

Mayor Hall read the proclamation. He asked the employees from Public Works to stand and be recognized and noted the City would not work without them. They were appreciated and he thanked them. He encouraged everyone to reach out during that week and thank the employees personally.

PROCLAMATION: Public Works Week

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of Eden and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are employees at all levels and are responsible for rebuilding, improving, and protecting our transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in Eden to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2023 marks the 63rd annual National Public Works Week. Be it now proclaimed that, I, Mayor Neville Hall do hereby designate the week May 21–27, 2023 as National Public Works Week in the City of Eden; I urge all citizens to recognize the substantial contributions our public works professionals make to protecting our City’s health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand at the City of Eden, North Carolina this 16th day of May, 2023.

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

- b. Presentation: Eden Youth Council Projects.

Mayor Hall called on City Attorney and Youth Council Advisor Erin Gilley.

Ms. Gilley said the Eden Youth Council (EYC) had completed two projects recently they wanted to talk about. They tried to get all the projects in before the end of the school year because there were several graduating and the EYC took a break during the summer months. The EYC held a 5K Color Run on April 22. She introduced Cooper Martin who was part of the leadership team on the project and said he would give a summary of the event.

Mr. Cooper Martin said on April 22, the EYC organized and held a 5K at the Smith River Greenway to benefit two local charities. Despite the storm and rain, over 20 runners were there and participated. A shirt was designed for sponsors to put their advertisements on. Thirty-seven sponsorships were sold, including all of City Council. After paying for the cost of the shirt printing, the EYC raised a total of \$3,280 to split between Rockingham Hope and The Phoenix Alliance. He thanked everyone for their support, especially Eden City Council. The EYC was very grateful for being able to contribute what they could to the community.

Ms. Gilley explained Rockingham Hope was a faith-based, Christ-centered ministry that sought to meet the physical, emotional and spiritual needs of Rockingham County residents. The Phoenix Alliance was a local faith-based and Christ-centered non-profit organization which assisted in rescuing children trapped in sexual exploitation. They helped survivors rise from the ashes and aided in trauma recovery and survivor independence. Each group received \$1,640. She thanked everyone for their support and the EYC for helping out on that. She called on EYC members Jadan Martin and Gavin Moore to discuss the EYC Kickball Tournament. She noted several members of the winning team were present and they wanted to recognize them as well.

Mr. Jadan Martin said the kickball tournament was an annual event where the EYC reached out to kids in the elementary schools in Eden. It allowed the children to get to know the EYC members, stay in contact and give them something to do. It had been their biggest turnout. Before counting any walkups, there were 32 kids from Leaksville-Spray, 24 kids from Douglass, and 25 kids from Central. They had held the tournament for close to 10 years. One would think it would get easier but it had not. It had rained a lot the day before meaning they would not use Freedom Park as they always had because the fields were flooded. They moved the tournament to the Holmes Middle School soccer field. It rained again the night before but they were still able to paint four separate fields. It worked out instead of having three fields because there were so many kids playing. He wanted to thank Rockingham County Schools for making it work, each elementary school in Eden, and the police officers. The officers umpired. The EYC wanted to incorporate that to build a bond between young students and police officers and bridge the gap between youth and law enforcement. The EYC wanted to thank the parents as the young students did not drive. It was a huge help to have the parents work with the changes they had to make, even changing the venue the night before, and to have the parents there. There were many kids attending on tournament day but they made it work and it was the most fun year they had. Leaksville-Spray 2 had three games, playing Central first and Douglass second. They played another Central team for the championship.

Mr. Moore said there were a lot of great players on the winning team with high quality players and parents, which was nice because if the players were not listening to the coaches, they would listen to their parents and it helped the tournament function better. He named the winning team players: Avery Allen, Isaac Gilley, Ave Greus, Chloe Lovings, Christian Coe, Josh Sexton, Kendall Snow, Aspen Hampton, Josie Wade, Grayson Daughtry and Jackson Grogan. Organizers did have trouble going into the tournament because it rained a lot the day and night before but they made it work. They definitely would not have been able to make it work without Ms. Gilley. He called the winning team players who were present forward.

Mr. Jadan Martin wanted it to be known that the team won the previous year's tournament as well. He was sure they would be looking to win again next year and start a dynasty at Leaksville-Spray.

Mr. Moore presented the team with their trophy.

Mayor Hall said he went to the tournament and it was a great event even though the weather was not cooperating. As they mentioned, Ms. Gilley was able to reorganize it on the fly and it was a big group effort to get it together. He knew Jim Burnette volunteered some hours there and it was appreciated. He noted that Mr. Martin and Mr. Moore were the winning coaches again. He thanked everyone for being there. The police had a ball doing it and it meant a lot to the kids to have the police there in their environment where they could play with them and have tons of high-fives with the kids and parents.

SET MEETING AGENDA:

Mayor Hall noted items 12c (approval and adoption of a resolution declaring two lots off Dallas Street surplus and authorizing the negotiated offer and upset bid) and 12d (approval and adoption of a resolution declaring 101 Byrd Street surplus and authorizing the negotiated offer and upset bid process) were in the consent agenda. After discussions with staff, it was determined those needed to be moved to new business so they would become 10c and 10d. There was an addition to the consent agenda – approval of the pyrotechnics permit for the Morehead High School graduation ceremony – and Council had copies at their seats. Item 9b (consideration to adopt a resolution to approve the City-County utility agreement) had a new memo that had been provided to Council at their seats as well for discussion when that item came up.

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

PUBLIC HEARINGS:

- a. Consideration to adopt the 2023-2024 Budget Ordinance.

Mayor Hall declared the public hearing open and called on City Manager Jon Mendenhall.

Mr. Mendenhall said at last month’s meeting they had talked about the 2023-24 budget. The ordinance was now presented. There was a \$30,786,300 budget broken up into several different funds: general fund \$20,195,000; self-insurance fund \$3,308,500; water and sewer fund \$12,421,200; runabout travel fund \$20,000; municipal service tax district fund \$12,300; along with some interfund transfers and appropriation of fund balance pass thru. All of those added together were \$30,786,300. It was a balanced budget with no tax increase or water and sewer increase. There was a pass thru fee on solid waste.

As no one signed up to speak and there were no questions from Council, Mayor Hall declared the public hearing closed.

A motion was made by Council Member Epps to adopt the 2023-2024 Budget Ordinance. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

**CITY OF EDEN, NORTH CAROLINA
2023-2024 BUDGET ORDINANCE**

BE IT ORDAINED by the City Council of the City of Eden, North Carolina in regular session assembled:

Section 1: The following amounts are hereby appropriated for the operation of the City of Eden government and its activities for the fiscal year beginning July 1, 2023, and ending June 30, 2024, according to the following summary and schedules.

Summary (Funds)	Estimated Revenues	Total Budget Appropriation
General	\$20,195,000	\$20,195,000
Self Insured Insurance	\$3,308,500	\$3,308,500
Water and Sewer	\$12,421,200	\$12,421,200
Runabout Travel	\$20,000	\$20,000
Municipal Service Tax District	\$12,300	\$12,300
(Less inter-fund transfers)	\$2,700,600	\$2,700,600
(Less Appropriated Fund Balances)	\$1,660,000	\$1,660,000
(Less Pass Thru Funds – Ex. Runabout Travel)	\$810,100	\$810,100
TOTAL	\$30,786,300	\$30,786,300

Section 2: That for said fiscal year there is hereby appropriated out of the General Fund the following:

Code	Department	Appropriation
10-4110	City Council	\$39,400
10-4120	Administrative & Legal Services	\$481,600
10-4130	Finance/Human Resources	\$345,700
10-4135	Marketing & Customer Service	\$415,000
10-4145	Information Technology	\$472,200
10-4190	Facilities & Grounds	\$813,000
10-4310	Police	\$6,270,200
10-4340	Fire	\$3,766,200
10-4350	Division of Design & Construction	\$36,600
10-4310	Streets	\$1,969,000
10-4515	Powell Bill	\$540,000
10-4710	Solid Waste	\$1,973,200
10-4910	Planning & Community Development	\$630,400
10-6120	Recreation	\$1,077,200
10-6920	Fleet Maintenance	\$340,600
10-9100	Special Appropriations	\$324,700
10-9990	Contingency	\$500,000
TOTAL		\$20,195,000

Section 2: It is estimated that the following General Fund Revenues will be available during the fiscal year beginning July 1, 2023, to meet the foregoing General Appropriations:

Code	Revenue Source	Appropriation
3189-11892	Ad Valorem: Prior Years – Rock Co.	\$13,700
3189-18000	Interest on Delinquents	\$1,200
3190-11000	Ad Valorem: Current Year	\$5,629,700
3190-12092	DMV-Vehicle Tax – Current Year	\$696,500
3190-12093	DMV-Vehicle Tax – Prior Year	\$200
3190-12094	Short Term Rental Vehicle Tax	\$3,000
3190-12095	Municipal Vehicle Tax	\$194,200
3190-15000	Gas License	\$850
3190-18000	Interest on Current Taxes	\$16,600
3190-18100	Interest on Current Taxes – DMV	\$6,700
3190-19097	Payment in Lieu of Assesment	\$636,000
3190-19098	DMV Collection Fees	(\$30,100)
3190-32100	Occupancy Tax	\$80,000
Tax Revenue Total		\$7,412,400

Code	Revenue Source	Appropriation
3260-11000	Professional Licenses	\$700
3270-12000	Franchise Fees/State	\$104,800
3343-41000	Building Permits	\$41,000
3343-41100	Plumbing Permits	\$7,500
3343-41300	Mechanical Permits	\$15,500
3343-41400	Sign Permits	\$400
3343-41500	Electrical Permits	\$27,400
3434-48000	Fire Department Permits	\$1,800
3491-41100	Planning Zoning Permits	\$250
Licenses & Permits Total		\$200,000

Code	Revenue Source	Appropriation
3350-00200	Donations & Fees – Pottery Festival	\$4,000
3350-02100	Revenue	\$61,000
3350-02200	Oak & Aka Festival	\$11,500
3350-02300	Shaggs' on Fieldcrest	\$10,000
3350-02400	Touch-A-Truck	\$2,000
3350-02500	Green & Gophered	\$13,000
3350-02700	Winterfest	\$4,000
3412-43000	Vending Machine Proceeds	\$5,000
3412-43100	Vending Machine Proceeds-PV	\$4,900
3434-49000	Fee on Behalf Payments	\$19,000
3434-51000	Fee User Rental – Disper Rural	\$200
3612-48000	Freedom Park Concessions	\$13,700
3612-48100	Byrd Street Center Concessions	\$400
3612-48200	East Eden Center Concessions	\$800
3612-48300	East Eden Pool Concessions	\$8,300
3612-48700	Splash Pad Concessions	\$19,300
3612-48800	Splash Pad Admissions	\$28,600
3612-56000	Pool Admissions	\$25,500
3612-86100	Building Use	\$28,900
3612-86200	Field Use & Leases	\$3,500
3831-49000	Interest: Clothing	\$8,600
3831-49100	Interest: NC Cash Mgt Trust	\$322,000
3831-49700	Interest: Powell Bill Funds	\$10,000
3831-49900	Eden PD Performance Interest	\$200
3839-89000	Miscellaneous Revenue	\$5,000
3984-90000	Transfer from ASFA Fund	\$1,161,700
3991-99100	Fund Balance Appropriated	\$1,160,000
Use of Money & Property Total		\$29,511,100

Minutes of the May 16, 2023 meeting of the City Council, City of Eden:

Code	Revenue Source	Appropriation
3231-31000	Local Option Sales Taxes	\$1,619,900
3232-31000	1/2 Cent Sales Taxes	\$1,123,300
3233-31000	1/4 Cent Sales Taxes	\$771,500
3234-31000	1/2 Cent Sales Taxes	\$311,000
3234-31001	State Hold Harmless Payment	\$1,229,000
3234-31002	Solid Waste Disposal Tax Distribution	\$13,000
3270-13000	Peg Charrel Grant	\$26,000
3222-31000	Wine & Beer Taxes	\$61,300
3234-31000	Utilities Franchise Taxes	\$851,100
3325-33000	Powell Bill: State Street Aid	\$510,000
3335-32000	County Grants: Fire Department	\$2,400
3336-33000	Police School Resource Officers	\$315,100
3431-73000	Project Safe Rockingham County	\$20,100
3434-52000	Draper Rural Fire Tax	\$4,100
3612-48400	Recreation Grant-Sr. Center	\$5,000
3612-48410	HOCDE Grant Sr. Center	\$33,500
3612-48420	Senior Center General Purpose Grant	\$7,400
3837-89000	ABC Revenues	\$224,500
3837-89100	ABC Revenues: Law Enforcement	\$9,200

Other Agencies Revenues Total **\$7,180,400**

Code	Revenue Source	Appropriation
3350-00100	Historic Preservation Book Sales	\$500
3412-41000	Other Administrative Revenues	\$1,500
3431-41000	Police Revenue: Dog Fines	\$3,900
3431-41100	Police Security Charges	\$40,000
3431-41200	Police Security: Fringe Benefit Charges	\$10,400
3431-41300	Court Costs	\$5,000
3431-41400	Parking Violations	\$200
3431-41500	Police Fingerprinting Supplies	\$500
3431-41700	Police Revenue	\$6,500
3431-84000	Police Department Restitution	\$5,400
3434-41000	Outside Fire Protection Charges	\$6,300
3451-41100	Street Dept. Revenue: Driveways	\$3,200
3451-81000	Street Mowing	\$9,500
3491-40000	Planning Dept. Nuisance Fees	\$38,500
3491-41000	Planning Department Applications	\$700
3491-41600	Planning: Code Compliance Ins.	\$200
3491-81000	Planning Department Sale of Materials	\$200
3612-41000	County User's Fees	\$300
3612-41100	Leases Entrance Fees	\$1,700
3612-41200	Recreation Dept. Revenue: Lesson	\$500
3612-41400	Provier Sports	\$26,000
3612-86400	Recreation Dept. Miscellaneous	\$16,700
3612-87000	Fuel Purchases - County Agencies	\$7,000

Charges for Current Services **\$183,400**

Code	Revenue Source	Appropriation
3471-41100	Residential Fees - Solid Waste	\$1,626,300
3471-41101	Commercial Fees - Solid Waste	\$617,700
3471-81000	Sale of Materials/Scrap	\$7,700
3471-81100	Recycling Income - Solid Waste	\$600
3471-81200	Sale of Compost/Mulch-Solid Waste	\$920
3471-81400	Demolition - Abatement	\$2,200

Total Solid Waste Revenue **\$2,253,700**

General Fund Revenue Total **\$20,185,000**

Section 4: That for said fiscal year there is hereby appropriated out of the Self-Insured Insurance Fund the following:

Code	Department	Appropriation
4140-18300	Group Insurance Fixed Cost	\$1,280,800
4140-29900	Group Insurance Additional Charges	\$35,500
4140-30000	Claims	\$1,992,200

Self Insured Insurance Fund Total **\$3,308,500**

Section 5: It is estimated that the following Self-Insured Insurance Fund Revenues will be available during the fiscal year beginning July 1, 2023 and ending June 30, 2024, to meet the foregoing Self-Insured Insurance Fund Appropriations:

Code	Revenue Source	Appropriation
3351-01000	Charges to Other Funds/GF	\$2,365,800
3351-03000	Charges to Other Funds/W/S	\$604,200
3831-49000	Interest - Checking	\$28,000
3839-83000	Refunds	\$310,500

Self Insured Insurance Fund Total **\$3,308,500**

Sections 4 and 5 of this Budget Ordinance hereby authorize City payment of individual premiums in excess of that set forth in City Code § 10-6.3 for said fiscal year only. This authorization in no way creates any benefit or right in property whatsoever of any individual employee or retiree to City payment of premiums for any future year above that prescribed in City Code § 10-6.3.

Section 6: That for said fiscal year there is hereby appropriated out of the Water & Sewer Fund the following:

Code	Department	Appropriation
7110	Water Resources	\$851,800
7115	Billing & Collections	\$427,300
7120	Water Filtration	\$2,130,400
7125	Collection & Distribution	\$1,966,600
7130	Wastewater Treatment	\$1,766,600
8120	Water Construction	\$200,000
8130	Sewer Construction	\$399,200
9920	Special Appropriations	\$4,179,300
9990	Contingency	\$500,000

Water & Sewer Fund Total **\$12,421,200**

Section 7: It is estimated that the following Water & Sewer Fund Revenues will be available during the fiscal year beginning July 1, 2023 and ending June 30, 2024 to meet the foregoing Water & Sewer Fund Appropriations:

Code	Revenue Source	Appropriation
3363-51200	Sale of Water	\$4,899,000
3363-51300	Sewer Service Charges	\$4,944,100
3711-58000	Miscellaneous Returned Checks	\$2,000
3713-52000	Pre-Treatment Charges	\$48,800
3713-52000	Water Service Application Fees	\$17,200
3714-51000	W/S Meter Tampering Fees	\$100
3714-52000	Reconnection Charges	\$266,500
3714-52200	Water Taps	\$17,800
3714-52300	Sewer Taps	\$4,000
3831-49000	Interest: Checking	\$21,000
3831-49500	Interest: NCCMT	\$163,800
3834-86000	Rent of Equipment	\$65,600
3835-81000	Sale of Materials	\$400
3839-89000	Miscellaneous Revenues	\$5,400
3984-90000	Transfer from ARPA Fund	\$1,465,500
3991-99100	Fund Balance Appropriated	\$500,000

Water & Sewer Fund Total **\$12,421,200**

Section 8: That for said fiscal year there is hereby appropriated out of the Runabout Travel Fund the following:

Code	Department	Appropriation
9100-31200	Runabout Travel Expense	\$20,000

Runabout Travel Fund Total **\$20,000**

Section 9: It is estimated that the following Runabout Travel Fund Revenues will be available during the fiscal year beginning July 1, 2023 and ending June 30, 2024 to meet the foregoing appropriations:

Code	Revenue Source	Appropriation
3612-84000	Runabout Travel Fees	\$20,000

Runabout Travel Fund Total **\$20,000**

Section 10: That for said fiscal year there is hereby appropriated out of the Municipal Services Tax District Fund the following:

Code	Department	Appropriation
4150-29900	MSD Tax - Leaksville	\$9,600
4150-29901	MSD Tax - Draper	\$2,100
4150-29902	MSD Tax - Boulevard	\$650

Municipal Service Tax District Fund Total **\$12,300**

Section 11: It is estimated that the following Municipal Services Tax District Fund Revenues will be available during the fiscal year beginning July 1, 2023 and ending June 30, 2024 to meet the foregoing appropriations:

Code	Revenue Source	Appropriation
3190-19100	MSD Tax - Boulevard	\$600
3190-19200	MSD Tax - Leaksville	\$9,000
3190-19300	MSD Tax - Draper	\$2,000
3831-49000	Interest: Checking Account	\$300
3831-49500	Interest: NCCMT Account	\$400

Municipal Service Tax District Fund Total **\$12,300**

Section 12: There is hereby levied for the fiscal year ending June 30, 2024 the following rate of taxes on each one hundred dollars (\$100) assessed valuation of taxable property as listed as of January 2023 for the purpose of revenue, and in order to finance foregoing appropriations:

A General Fund (for the general expense incident to the proper government of City of Eden, North Carolina) tax rate of \$0.609 per hundred dollars (\$100) of assessed valuation. Such rates are based on an estimated total appraised value of property for the purpose of taxation of approximately \$946,759,770 with an assessment ratio of 100% of appraised value. Estimated collection rate of 98.68%.

A Municipal Service District tax rate of \$0.100 per hundred dollars (\$100) of assessed valuation for the Leaksville, Draper, and Boulevard municipal service tax districts.

Section 13: The Tax and Service Rates section of the FY 2023-2024 budget sets forth the applicable fees for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

Section 14: The Personnel section of the FY 2023-2024 budget sets forth the grade and positions classification plan for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

Section 15: Copies of this Budget Ordinance shall be furnished to the Director of Finance & Personnel and City Manager of the City of Eden, to be kept on file by them for their direction in the collection of revenues and expenditures of amounts appropriated.

Section 16: The City Manager, by authority of this ordinance, may transfer/reallocate between & within departments up to a maximum of ten percent (10%) of the moneys appropriated within any of the above stated funds, including any transfers/reallocations between funds.

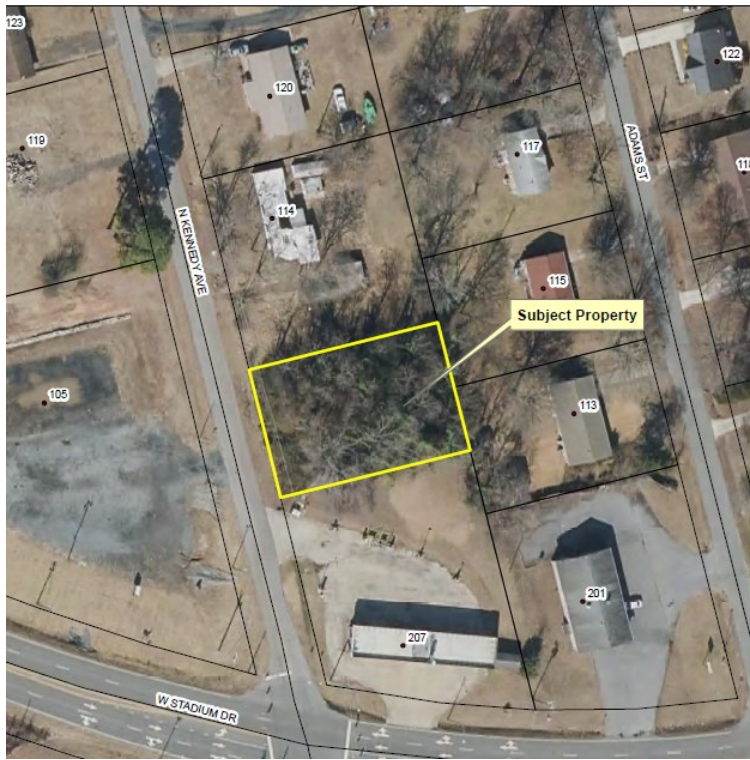
Adopted this the 20th day of June, 2023.

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 0.35 acres on N. Kennedy Avenue from Residential 12 to Business Highway. Zoning Case Z-23-02.
- (2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment.

Planning and Community Development Director Kelly Stultz wrote in a memo: The City has received a zoning map amendment request filed by Martha Hopkins, Part Owner of Subject Property, to rezone approximately 0.35 acres on N. Kennedy Avenue. The request is to rezone the property from Residential-12 to Business Highway. The Planning and Community Development Department recommends approval of the map amendment request. At a regular meeting in March, the Planning Board voted to recommend that the City Council approve this request.



ZONING CASE
Z-23-01
AERIAL MAP



PIN:
7080-17-02-5287

Zoned:
Residential 12

Request:
Business Highway

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

Ms. Stultz said the request was filed by Martha Hopkins on behalf of one of her family's companies. It was for a parcel behind the car wash on Kennedy Avenue at Stadium Drive. It was bounded on the north and east by Residential 12 (R12) and west and south by Business Highway (BH). The request was to rezone .35 acres from R12 to BH. The R12 District was established for residential developments and related recreational, religious and educational facilities. They were intended to act as transitional zoning districts between rural development and the more urban development of the City. The regulations were further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district. The BH District was designed to accommodate highway-oriented retail, commercial service uses and, in some cases, light manufacturing. The subject parcel was located on N. Kennedy Avenue. The owner of subject property currently had no future use plans for the property, not that it had anything to do with the decision. The rezoning of subject property would enable the property to be utilized for uses that would benefit the City in future development and growth. The parcel had been vacant for many years. There seemed to be no development pressure to make it residential. Staff was of the opinion that the uses were compatible with the surrounding commercial and residential uses. Staff was also of the opinion that the other types of uses allowed in the BH district would not be detrimental to the surrounding area. The UDO had stricter lighting, sound and buffer requirements than what they had in the past. Based upon all the information, staff recommended approval of the request.

Council Member Kirkman asked what could go in BH.

Ms. Stultz said it would allow residential care facilities, bed and breakfasts, hotels, banks, credit unions, dry cleaners, funeral homes, all sorts of medical offices, hardware stores and those kinds of things, and government offices. It was a fairly broad district. It did not allow adult establishments. It allowed most general and other types of commercial uses. There was nothing allowed that was particularly noxious to the surrounding area.

Council Member Ellis asked if it allowed businesses similar to what was neighboring it currently.

Ms. Stultz said it was in an area of transition. There was the residential that faced Stadium Drive. The rezoning would allow more options for the property to be used. There had been no development pressure to put a house on it all these years.

Council Member Ellis asked about the buffer.

Ms. Stultz said anytime there was a business use that adjoined the residential use, they would have to install a buffer.

Council Member Underwood asked what that would consist of.

Ms. Stultz answered it depended on what the business was and what they would decide to do. It would include fencing and vegetation which were there to not only block sight but also sound.

Council Member Ellis asked if there was anything between the existing parcels.

Ms. Stultz said no. If a non-residential use were put there, there would have to be a buffer on the north and east sides.

Mayor Hall asked if anyone wanted to speak in favor and no one came forward. He then asked if anyone wanted to speak in opposition and called those people forward.

Misty Holland Richardson, 391 Wimbish Road and owner of 113 Adams Street, said there were already fencing issues along two sides of the property from the drive-thru store and car wash, so it would possibly put about 50 percent of the property at 113 Adams Street with a fence around it. The property had been in her family since 1976 and had been owned by her aunt who had turned it over to her cousins and herself. Her cousins did not live in the area so her family had purchased it. The subject property did not have any highway frontage. It was all residential. The property was part of a neighborhood and they wanted to keep it that way. There were already issues with sound and traffic from the two businesses that were there already. If a third were added, there would be even more issues. She asked Council to think about it from the standpoint of if it was their neighborhood, or family's neighborhood. If their grandkids wanted to play outside. They would be worried about the traffic up and down the street, about what was going on in the business. People bought a home to be part of a neighborhood, not part of a business district. She would appreciate Council's consideration to keep the area a neighborhood so that the people there would continue to enjoy it, go outside and have a cup of coffee and not have to worry about all the traffic and noise and things like that. She appreciated their consideration.

Katie Lorenzo, 114 N. Kennedy Avenue, said she lived at 114 with her husband and three children, which was literally right beside the property up for rezoning. She had called the City and talked with someone about the issue that day. Her family included one toddler and two school-aged children. They had struggled already because of the car wash and drive thru. From the car wash they heard noises like loud music all hours of the night. The kids struggled with sleeping and had to get up at 6:30 to get ready for school. Ms. Richardson had basically said everything she wanted to say and she thanked her. She agreed with Ms. Richardson 100 percent. It was her family's home and she asked that Council take that into consideration and not allow a business to go there. Her children could go outside and play now and she did not have to worry about anything but people going up and down the road and driving crazy. She asked Council to imagine if it was their home and their kids or grandkids. She did not think they would like it either.

Council Member Ellis asked Ms. Lorenzo if she lived on Kennedy.

Ms. Lorenzo said yes. They lived right beside the subject property.

Council Member Ellis asked how long they had lived there.

Ms. Lorenzo said three years.

Council Member Ellis asked Ms. Stultz if the surrounding houses were occupied by owners or renters.

Ms. Stultz said as far as land-use regulations were concerned, the City did not care. It had nothing to do with land-use decisions. She knew there were a lot of residences and most of them were occupied but they did not keep up with which ones renters and which ones were not. They cared as much about renters as they did owners.

As there were no further questions, Mayor Hall closed the public hearing.

A motion was made by Council Member Underwood to deny the zoning map amendment request and adoption of an ordinance to rezone approximately 0.35 acres on N. Kennedy Avenue from Residential 12 to Business Highway. Council Member Kirkman seconded the motion. All members voted in favor of the motion to deny. The motion carried 7-0.

c. (1) Consideration of a zoning map amendment request and adoption of an ordinance to rezone approximately 0.10 acres on Jay Street from Residential 12 to Business General. Zoning Case Z-23-02.

(2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment.

Ms. Stultz wrote in a memo: The City has received a zoning map amendment request filed by John D. Smith, III, Owner of JS of Eden Enterprises, Inc., Property Owner, to rezone approximately 0.10 acres on Jay Street. The request is to rezone the property from Residential-12 to Business General. The Planning and Community Development Department recommends approval of the map amendment request. At a regular meeting in April, 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 property being discussed was located directly beyond what used to be Moorefield Office Supply and before that was a Coca-Cola bottling plant. It was on Jay Street and like the first property discussed, had never been developed in any fashion but only had something parked on it once in a while. It was currently zoned R12 and sat behind that building and other business uses across. There had been no development pressure either way; however, they did know more commercial development in that part of the community would be very helpful for the Main Street Program and others. R12 was a medium density residential area which allowed transitional uses between districts. The owner had no proposed plans for the property. The rezoning of subject property would enable the property to be developed for uses that would benefit the City of Eden in future development and growth. The principal use of land in that district is the dispensing of retail goods and services to the community and to provide space for wholesaling and warehousing activities. That tiny site could never do that but they had to consider the wide range of what was there. Based upon the information submitted, staff did recommend in favor of the request.

Mayor Hall asked if the residential house behind the property had contacted her.

Ms. Stultz said she had a conversation with someone about it but they did not always tell her where they lived.

Mayor Hall said he noticed the property adjoined a residential dwelling and he did not know if anyone had contacted her in opposition.

Ms. Stultz said staff had many more calls about the first case.

Council Member Kirkman asked who owned the former Moorefield property.

Ms. Stultz said she did not believe it was J.S. of Eden who owned it.

Council Member Nooe asked Ms. Stultz if there were special provisions to allow pull in, pull out, etc. for a parking lot.

Ms. Stultz said they would have to get driveway permits like anyone else. The lot was close to a stoplight and another signal. They would have to have parking provided because it was not BG and not in a business district. It was very small. She personally did not see it ever being used for anything other than an accessory to the building in front of it. Mr. Smith may find himself lucky to sell it to someone else. It had been that way for a long time.

As no one came forward to speak in favor or against and there were no further questions from Council, Mayor Hall declared the public hearing closed.

A motion was made by Council Member Nooe to approve the zoning map amendment request and adopt an ordinance to rezone approximately 0.10 acres on Jay Street from Residential 12 to Business General, as well as adopt a resolution of a statement of consistency regarding the proposed map amendment. Council Member Epps 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 Residential-12 to Business General the following property:

BEGINNING at a stake set in the edge of Jay Street, which stake is south 54 degrees 34 minutes W. 140 feet from the intersection of Jay Street with Bridge Street and which beginning point is a corner with Coca Cola Bottling Company lot., and running thence with Jay Street S. 54 degrees 34 minutes W. 50 feet to a stake, a corner with Lot No. 8, Division of J. B. Fagge Home Property; thence N. 39 degrees 02 minutes W. 90 feet to a stake, a new corner; thence parallel with Jay Street N. 54 degrees 34 minutes E. 50 feet to a stake set in the line of the Coca Cola Bottling Company lot, also a new corner; thence S. 39 degrees 02 minutes E. with the line of said Coca Cola Bottling Company lot 90 feet to a stake set in the edge of Jay Street, THE POINT OF BEGINNING, and being all of Lot No. 6, Division of the J. B. Fagge Home Property, as per map and survey by W. T. Combs, dated January 10, 1939, and said description also containing ten feet immediately at the rear of said Lot No. 6, said 10 feet being a part and portion of Lot No. 8, as per map above referred to.

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

APPROVED, ADOPTED AND EFFECTIVE, this 16th day of May, 2023.

CITY OF EDEN

BY: Neville A. Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

A RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING
A PROPOSED AMENDMENT TO THE CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE
CASE NUMBER Z-23-02 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 0.10 acres on Jay Street from Residential-12 (R12) to Business General (BG).

WHEREAS, On April 25, 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 B-G Business Districts are generally located on the fringe of the central business district and along major radial highways leading out of the city. The principal use of land is for dispensing retail goods and services to the community and to provide space for wholesaling and warehousing activities. Because these commercial areas are subject to public view and are important to the economy of the area, they shall have ample parking, controlled traffic movement, and suitable landscaping.

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 16th day of May, 2023.

CITY OF EDEN

BY: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

REQUESTS AND PETITIONS OF CITIZENS:

Mayor Hall asked Ms. Gilley to read the rules for speakers.

Valencia Abbott, 1013 Rosemont Drive, Reidsville, said the Dan River Steam Station in Eden, then Draper, began construction in 1949 and was finished the following year. Coal units one and two cost a combined \$15 million and was at that time cutting edge. The station was the object of the 1971 United States Supreme Court case Griggs v. Duke Power in which 14 African-American employees were discriminated against when Duke Power required them to possess a high school diploma and/or required them to pass a standardized general intelligence test to obtain certain positions at the station, neither of which was found to have a bearing on the employees’ abilities to perform the sought after position. At the time, the education requirements disproportionately harmed African Americans and white employees only filled the well-paying positions. The court found the education requirements would only be legal under Title VII that were reasonably related to the job in question; therefore, they were improper because the education requirements needed to be better associated with the jobs and the plaintiffs would go on to win a unanimous decision after a five-year battle with their employee. The men’s actions amid the civil rights movement is one of the most under told and unacknowledged fights for civil rights. A step to bring this to its proper place in the historical record is the placement of two historical markers in Rockingham County. On August 1, there will be a dedication ceremony for the N.C. civil rights trail marker sponsored by the N.C. African-American Heritage Commission, and the N.C. state highway marker, one of the oldest such programs in continuous operation in the U.S. is being planned for October. These men risked everything in the face of such unknown consequences. It was two years before Martin Luther King Jr.’s assassination and 11 years before the murder of Emmett Till. They left a legacy not only for their immediate circumstances but continued today as the ruling still applied to unemployment law. Over the next couple of months, the hope was that the City of Eden would support, promote and acknowledge the citizens accomplishments from past to present. The family not only still resided in the county, but had taken the legacy far and wide.

Mayor Hall thanked Ms. Abbott and said he had been in contact about the marker dedication. The City would be involved and was excited about having that here to tell the story of what happened with the U.S. Supreme Court case.

UNFINISHED BUSINESS:

- a. Consideration of the Certificate of Sufficiency and adoption of a resolution calling for a public hearing on the annexation petition of property located at 345 Wilshire Drive.

Ms. Stultz wrote in a memo: At your April regular meeting, you instructed the City Clerk to investigate the sufficiency of a petition for voluntary annexation for the property located at 345 Wilshire Drive owned by Brian Furbert and Ruby Furbert. With the assistance of the City Attorney, we have determined that the proper signatures were placed on the petition and that the owners listed above are the owners of the property identified on the Petition. Attached you will find the certificate of sufficiency executed by the City Clerk, a current survey of the property, and a Resolution Fixing Date of Public Hearing. This type of annexation does not have the same requirements as does an involuntary annexation. However, there are requirements with regard to fire service. Please accept the certificate of sufficiency and call a public hearing for your June regular City Council meeting. If you have any questions, please give me a call.

CERTIFICATE OF SUFFICIENCY

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

I, Deanna Hunt, City Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

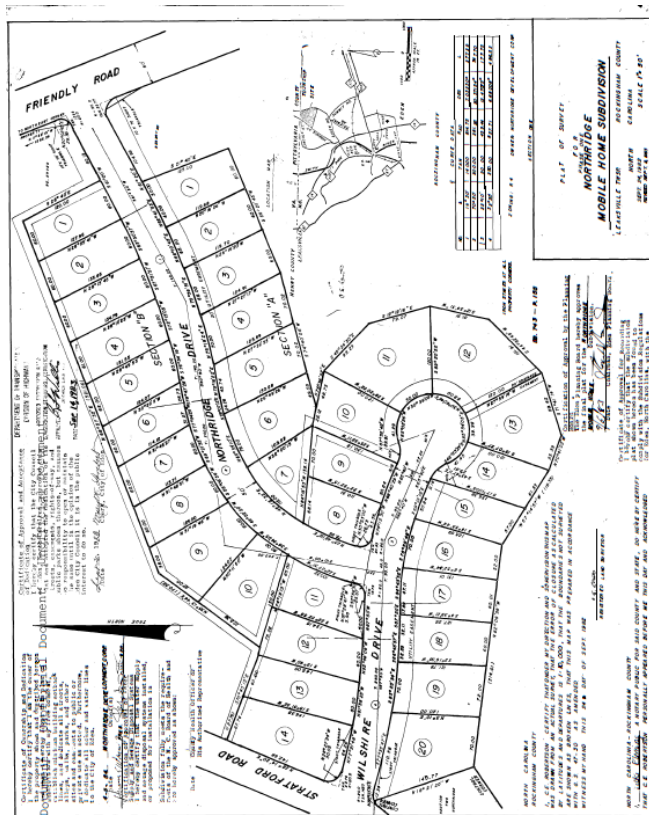
I further find that the area meets the standards for a noncontiguous area as specified in G.S. 160A-58.1(b), in that:

1. The petition includes a legal description of the area proposed for annexation and has attached a map showing the proposed satellite area in relation to the primary corporate limits. [Note if the map also shows the area in relation to another municipality.]
2. The petition includes the names and addresses of all owners of real property lying in the area described therein.
3. The petition includes the signatures of all owners of real property lying in the area described therein, except those not required to sign by G.S. 160A-58.1(a).
4. The nearest point on the proposed satellite corporate limits is no more than three (3) miles from the primary corporate limits of the City of Eden.
5. No point on the proposed satellite corporate limits is closer to the primary corporate limits of any municipality other than the City of Eden [or indicate that, although closer to another municipality, there is an annexation agreement in place that allows the annexation of the proposed satellite];
6. The satellite area is so situated that the City of Eden will be able to provide the same services as are provided within its primary corporate limits;
7. To the extent that the proposed satellite area contains any portion of a subdivision, the entire subdivision is included;
8. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits of the City of Eden, does not exceed ten percent (10%) of the area within the primary corporate limits of the City of Eden [or indicate that the municipality has a modification to this requirement pursuant to an act of the General Assembly].
9. [State other findings if municipality has additional requirements for the petition, such as vested rights declaration.]

In Witness Whereof, I have hereunto set my hand and affixed the seal of the City of Eden, this 6 day of May, 2023.



Deanna Hunt
Deanna Hunt, City Clerk



Mayor Hall called on Ms. Stultz.

Ms. Stultz said the parcel was part of the Northridge Development before the owners changed part of it to be Summit Place. At the time, the City annexed all of it. As it was preparing to be redeveloped, one person owned their lot and did not want to be annexed. That property had changed hands and the new owners were interested in being part of the City and receiving services. They had requested to be annexed. The clerk had declared the petition sufficient. Staff asked that Council call a public hearing for June.

A motion was made by Council Member Kirkman to adopt a resolution calling for a public hearing on the annexation petition of property located at 345 Wilshire Drive. Council Member Moore seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-58.1

WHEREAS, A Petition requesting annexation of the non-contiguous area described herein have been received; and

WHEREAS, the Eden City Council has by resolution directed the City Clerk to investigate the sufficiency of the Petition at their meeting on April 18, 2023; and

WHEREAS, certification by the City Clerk of the City of Eden as to the sufficiency of the Petition has been made;

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

Section 1. A public hearing on the question of annexation of the non-contiguous areas described herein will be held in the Eden City Hall in the City Council Chamber at 6:00 P.M. on June 20, 2023.

Section 2. The area proposed for annexation is described as follows:

Being all of Lot 12, Section A, Northridge Mobile Home Subdivision. SEE PLAT BOOK 22, PAGE 10, of the Rockingham County Registry.

Section 3. Notice of the public hearing shall be published in the Rockingham Now, a newspaper having general circulation in the City of Eden, at least ten (10) days prior to the date of the public hearing.

This the 16th day of May, 2023.

CITY OF EDEN

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

b. Consideration to adopt a resolution to approve the City-County utility agreement.

Ms. Gilley wrote in a revised memo: The City and County executed an extension agreement for 120 days to the current sewer contract in January 2023 and in April 2023. Staff of both Boards have been in the process of negotiating that agreement over the past few months. City staff has obtained camera footage of sewer lines, but needs additional time to investigate this and obtain additional camera footage. We anticipate being able to obtain this additional footage, review and assess it by the end of the calendar year. Staff is requesting that you approve an additional extension for the Agreement until January 1 or until an agreement can be enacted. We recommend that you adopt the Interim City County Utilities Agreement so that we can proceed with the finalization. If you should have any questions or concerns, please do not hesitate to contact me.

Mayor Hall called on Ms. Gilley.

Ms. Gilley said staff had been working for some time on the agreement and had initially put the agreement on the agenda for approval. Based upon feedback from Council, and she thought it was a wise move, staff would continue the investigations and negotiations, gathering more camera footage for the sewer line that was in the agreement. In doing so, staff would need an additional time period which meant they needed an extension of the agreement. Staff was asking Council to approve an interim agreement that would extend the rates to the county that would provide staff additional time to gather information on the sewer line and its condition. The agreement would run through January 1. Staff hoped to provide an agreement prior to that date that Council could act on and vote on.

Mayor Hall thanked Ms. Gilley and said there had been a lot of work behind the scenes. Staff and Council had done a lot of work on it. It was a prudent way to give the City time to do more research. The agreement started in 1998 and had been extended several times. The proposal was to extend it again to answer more questions that had come up in the past 120 days.

Ms. Gilley said staff had camera footage to review and some was missing so they needed to go back to know what they should be recommending to Council.

Council Member Underwood said he had questions he had come up with and he would give Ms. Gilley a copy.

Ms. Gilley asked if he wanted to ask them that night or meet with staff.

Council Member Underwood said there were 15 or 16 questions and he would just give them to Ms. Gilley. He said she would probably have to do some research.

A motion was made by Council Member Moore to adopt the Interim City County Utilities Agreement (that extended to January 1, 2024). Council Member Ellis seconded the motion.

Council Member Nooe thanked Ms. Gilley and Mr. Mendenhall and everyone else involved. He appreciated them answering his questions.

Council Member Underwood said it was a big step as \$800,000 was a lot of money. The time to recoup it would be 12.5 years which was a long time.

Mayor Hall said that was one of the questions they would have to have answered because it was if they did not have any additional users. If they did get a development it may pay back quicker than that. Those were questions that needed to be answered.

All members voted in favor of the motion. The motion carried 7-0.

A copy of the Interim City County Utilities Agreement is on file in the City Clerk's Office.

NEW BUSINESS:

- a. Consideration to adopt a resolution of intent to close an unopened section of Houchins Street. SC-23-01.

Ms. Stultz wrote in a memo: The City has received a request from Jerry W. Totten, Curtis H. Darnell, Jr. and Sandra K. Darnell to close an unopened section of Houchins Street. Attached you will find the petition, Resolution of Intent to Close an Unopened Section of Houchins Street off of Washburn Avenue, and a map showing the proposed closing. A motion to adopt the resolution and call a public hearing is in order. If you have any questions, please give me a call.



PETITION
TO CLOSE STREET OR ALLEY

Date Filed 4/12/2023 Application No. SC-23-01

Mayor and City Council
City of Eden
Eden, NC 27288

(I)(We) the undersigned, being owner(s) of real property adjacent to the (street) (alley) located at Unopened Houchins Street and as shown on the attached sketch, do hereby petition the City Council to permanently close said (street) (alley):

OWNER(S) & MAILING ADDRESS:
Totten Enterprises, LLC
516 Washburn Ave.
Eden, NC 27288

SIGNATURES:
Jerry W. Totten, Mayor

OWNER(S) & MAILING ADDRESS:
Curtis H. Darnell, Jr.
Sandra K. Darnell
514 Washburn Ave. Eden, NC 27288

SIGNATURES:
Curtis H. Darnell, Jr.
Sandra K. Darnell

OWNER(S) & MAILING ADDRESS:
321 Forest Circle
Denver, VA 24541

SIGNATURES:

INSTRUCTIONS:

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

\$800

A copy of each deed must be submitted with the petition. A fee of \$900.00 must be submitted with each petition.



STREET CLOSING
Case File No. SC-23-01



Unopened Section
of Houchins Street
off of Washburn Avenue

Mayor Hall called on Ms. Stultz.

Ms. Stultz said the highlighted blue portion was the section the property owners would like to close. There were hundreds of paper streets across the community and developments planned 100 years prior with streets that were platted and never built or asked to be accepted for maintenance. Staff asked that Council call a public hearing at the June meeting to have street closed.

Mayor Hall asked if there were three adjoining property owners or just two. He asked if that was the rule that every adjoining property owner had to sign the petition.

Ms. Stultz advised there were just two property owners.

Mayor Hall said there were three parcels that adjoined it but that did not mean there had to be three owners.

A motion was made by Council Member Kirkman to adopt a resolution of intent to close an unopened section of Houchins Street. Council Member Underwood seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

RESOLUTION OF INTENT TO CLOSE AN UNOPENED SECTION OF HOUCHINS STREET OFF OF WASHBURN AVENUE

BE IT HEREBY RESOLVED by the City Council of the City of Eden, North Carolina, that:

Pursuant to the provisions of Chapter 13, Article III, Division 3 and Section 13-88 of the Eden City Code and Section 160A-299 of the North Carolina General Statutes, the City Council of the City of Eden, North Carolina, does hereby declare its intention to close the following section of Houchins Street: Being that portion of Houchins Street located on the south side of Lots 9 and 10, Section 8, Flint Hill, and north of Lots 15 and 16, Section 7, Flint Hill; said portion being shown on the map as 25 feet wide and extending from Washburn Avenue to the rear corners of Lot 10 and 15; said Map of Flint Hill being recorded in Map Book 2, page 12 in the Office of the Register of Deeds for Rockingham County, North Carolina. The described area is shown on the Rockingham County GIS map as 30 feet wide

BE IT FURTHER RESOLVED that the City Council does hereby call for a public hearing on the said closing to be held on the 20th day of June, 2023, at 6:00 P.M.

BE IT FURTHER RESOLVED that this Resolution will be published once a week for four successive weeks prior to said hearing, a copy of said Resolution be sent registered mail or certified mail to all owners of property adjoining said street as shown on the Rockingham County Tax Records, and prominently posted in at least two places along said street.

BE IT FURTHER RESOLVED, that the Planning Board is hereby requested to submit its recommendation on the proposed closing of said street for consideration of the City Council at the time of said public hearing.

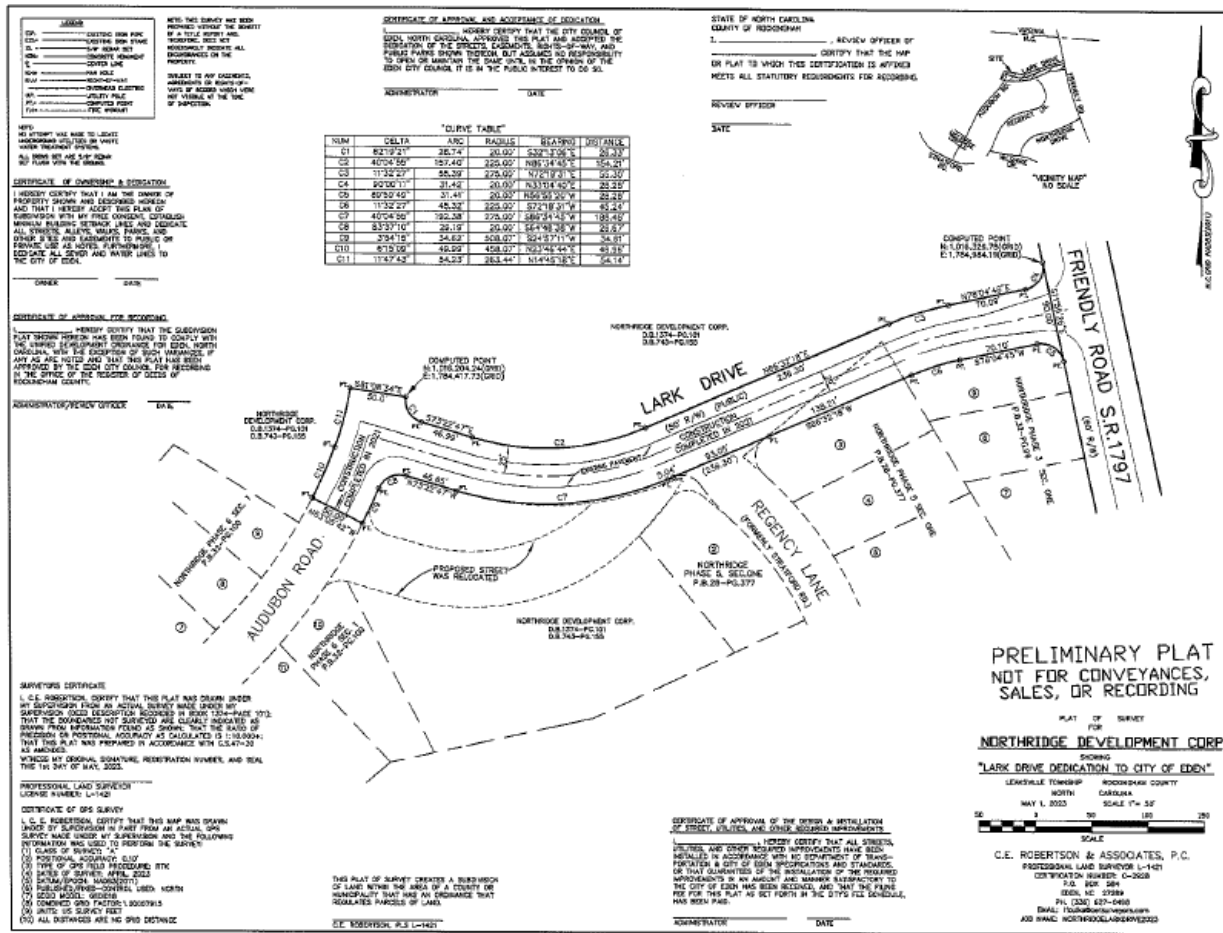
APPROVED, ADOPTED AND EFFECTIVE, this 16th day of May, 2023.

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

b. Consideration to accept maintenance for Lark Drive.

Ms. Stultz wrote in a memo: Northridge Development Corporation has submitted a request for the city to accept Lark Drive for maintenance. As per the requirements of the Unified Development Ordinance, any developer must construct any street according to city standards if they want it to become a part of the city street system. The company has provided a map of just the section of Lark Drive that they want accepted. I am attaching a copy for your review. This map will be recorded if you choose to accept the street. Design and Construction has monitored the improvements to the street during construction and it does meet our standards. There are concerns that Lark Drive could be damaged during further construction in the neighborhood. As happens in a phased development, there is some risk of damage to a roadway or other infrastructure as the process proceeds. The city does not have the ability to force a developer to complete all phases of a proposed development. The UDO requires that the developer give the city a warranty on the street to be accepted. In this case, I would recommend that the warranty be specifically noted to be one year from the date of acceptance and not of construction. As we work toward improving the economic health of Eden, there is currently a strong need for housing. In my opinion, this street should be accepted and included in the Powel Bill list for maintenance funding.



Mayor Hall called on Ms. Stultz.

Ms. Stultz said Council had a copy of the plat the property owners had prepared just for the one little section of street. It was inspected and reviewed by staff to preserve the notion that it was up to City standards. She thought Martha Hopkins, one of the property owners, met with staff a couple of times. Projects Coordinator Kevin London and Design and Construction Manager Bev O'Dell were involved in that. This was a section of street completed more than a year prior. Staff asked that Council accept the street for maintenance. The map would be recorded. She had some questions asked about that and there had been staff discussions as well. No one liked the thought of brand-new pavement with big trucks running over it, it was not conducive to asphalt. There was no ability in the existing regulations to force a developer to complete more street than they planned to develop. Proof of that was all the street closings the City did on parts of streets all over town.

Council Member Underwood had ridden there and looked at it and Lark Drive looked good. He asked if there was a plan for the other development.

Ms. Stultz said there may be. It was a phased development that had been going on since the 1980s. It was not like something the City could tell them they had to build it all and put the sidewalks in that week. The property was under the old Planned Unit Development (PUD) regulations which the City no longer had, but their rights were vested. The City had to operate with them under the old standards. They decided to split the development somewhat and have two entrances and all that was allowable in the regulations. She asked that Council agree to accept the street. One of the things she wanted to ensure was that the warranty started that day if it was accepted, and not in 2021.

Council Member Underwood asked how far toward the Virginia line the City limits would run.

Ms. Stultz said it was not far. Lark Drive was the furthest north street in the 200-acre tract that was constructed. It was annexed long ago.

Council Member Nooe said there was potential for further development to the north.

Ms. Stultz said yes, and to the south as well. It was a huge parcel.

Council Member Underwood noted Mr. London looked after the paving and asked if he had anything to say.

Mr. London had checked on it that day to make sure everything was OK because there was a little section with it that was Audubon Road. There was 673 feet that would be added to the Powell Bill for Lark Drive and that short Audubon section was not included.

Council Member Nooe recused himself from the vote as he had been involved in the project.

A motion was made by Council Member Underwood to accept maintenance for Lark Drive. Council Member Ellis seconded the motion.

Council Member Moore asked if that included the warranty starting from that day and it was confirmed it did.

All members, except Council Member Nooe who was recused, voted in favor of the motion. The motion carried 6-0.

- c. Approval and adoption of a resolution declaring two lots off Dallas Street, Tax Parcel ID numbers 146823 and 146812Z1, surplus and authorizing the negotiated offer and upset bid process.

Ms. Gilley wrote in a memo: The City of Eden currently owns two lots on Dallas Street with Rockingham County Tax Parcel Identification Numbers of 146823 and 146812Z1. A GIS Map is attached for your review. This property was donated to the City of Eden from F.C. Properties, LLC in 2017. There is a City sewer line that runs through the property. Mr. Chase Lemons, an adjacent neighbor, has submitted an offer to purchase these vacant lots from the City. City Public Utilities Staff has been questioned regarding this and believes there is no reason that the City needs to retain the property as long as the City retains the 20-foot sewer easement. Mr. Lemons is a city employee and works in the Community Development Department. Based upon our own City Code of Ethics and state law, I have taken multiple steps from the onset of this process in order to avoid any potential or perceived conflict of interest. I have handled the solicitation and negotiation of the offer with Mr. Lemons and have kept him completely screened from any and all discussion surrounding the process. An initial memo was sent to Mr. Lemons Department Head and the City Manager outlining the process and is attached hereto for your review. If the resolution is approved, we will continue along this path through the upset bid process until completion of the sale. City Staff believes it would be in the best interest of the City to have this property return to the City Tax Roll and to relieve the City of the maintenance of the empty lots. We are asking that you all approve the resolution declare this property surplus and authorize the upset bid process for the sale.



Mayor Hall called on Ms. Gilley.

Ms. Gilley said Ms. Stultz normally handled the surplus property cases but this was a bit different as an employee in her department was asking to purchase the surplus properties. In an effort to avoid any perceived conflict of interest, Ms. Gilley had been handling the process with Mr. Lemons who wanted to purchase the property. As soon as she was told Mr. Lemons wanted to purchase the property, she sent a memo to the city manager and Ms. Stultz instructing them that Ms. Gilley would handle the case and would keep Ms. Stultz and her department separate from it. Council Member Ellis had a family connection and had talked to her about wanting to recuse himself from the vote as well.

Council Member Ellis said that was correct.

Ms. Gilley said the memo that talked about the conflict of interest was included in materials for Council and was on the agenda just to make sure everything was transparent. She read from her memo and added there was an offer to purchase for \$1,000 and a five percent deposit had been paid. It would now go to an upset bid process where it would be advertised in the paper with a chance to upset it from anyone who wanted to do so. At the end of that process, if there were no more upset bids, it would come back to Council for approval.

Mayor Hall noted with the sewer easement through it, the ability to improve the lot was limited. It was an adjoining property owner who approached the City about putting the property back on the tax roll. He wanted to be clear – there was an upset bid process. If anyone else wanted to make a bid, there was a process to do so. Just so everyone knew, it was for sale. Council was declaring it surplus. They had their best offer so far but it was available to be upset. It had nothing to do with the potential purchaser being an employee or anything else.

Ms. Gilley agreed and said there was another property coming up in the same situation and the purchase did not involve an employee. Normally staff went ahead and used the upset bid process with lots obtained through foreclosure or that Council had already declared surplus, and then brought it back to Council. The issue in the case was that the property was obtained through donation and had not been declared surplus.

Mayor Hall asked if there were any deed restrictions with the donation.

Ms. Gilley said there not.

A motion was made by Council Member Epps to adopt a resolution declaring two lots off Dallas Street, Tax Parcel ID numbers 146823 and 146812Z1, surplus and authorizing the negotiated offer and upset bid process. Council Member Light seconded the motion. All members, except Council Member Ellis who was recused, voted in favor. The motion carried 6-0.

RESOLUTION AUTHORIZING UPSET BID PROCESS

WHEREAS, the City of Eden owns certain properties with Rockingham County Tax Parcel Identification numbers: 146823 and 146812Z1, Dallas Street, Eden, NC; and

WHEREAS, North Carolina General Statute § 160A-269 permits the city to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the City has received an offer to purchase the property described above, in the amount of \$1,000, submitted by Chase Lemons. Said purchase would also include a provision in the conveying deed that the City would retain its 20'(foot) sewer line easement through the property; and

WHEREAS, Chase Lemons has paid the required five percent (5%) deposit on his offer;

THEREFORE, THE CITY COUNCIL OF THE CITY OF EDEN RESOLVES THAT:

1. The City Council declares Rockingham County Tax Parcels with Identification Numbers 146823 and 146812Z1 as surplus property.
2. The City Council authorizes the City Staff to use the upset bid procedure for the property described above pursuant to North Carolina General Statute § 160A-269.

3. The city clerk shall cause a notice of the offer to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
4. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the city clerk within 10 days after the notice of the offer is published. At the conclusion of the 10-day period, the Director of Planning and Inspections shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
5. If a qualifying higher bid is received, the city clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.
6. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
7. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The city will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The city will return the deposit of the final high bidder at closing.
8. The terms of the final sale are that the City Council must approve the final high offer before the sale is closed, which it will vote to do within 30 days after the final upset bid period has passed, and the buyer must pay with cash, cashier's check, or certified check at the time of closing.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above shall be voted upon by City Council for acceptance or rejection.
10. The city reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all offers/bids.

APPROVED, ADOPTED AND EFFECTIVE this 16th day of May, 2023.

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

- d. Approval and adoption of a resolution declaring 101 Byrd Street, Tax Parcel ID number 169308, surplus and authorizing the negotiated offer and upset bid process.

Ms. Gilley wrote in a memo: The City of Eden currently owns property on Byrd Street with a Rockingham County Tax Parcel Identification Number of 111731. A GIS Map is attached for your review. This lot was the location of our Byrd Street Water Tank for many years. The Council authorized Staff to have this Tank demolished earlier this year. It has been completed and Mr. Ronnell Wilson, an adjacent neighbor, has submitted an offer to purchase this vacant lot from the City. City Public Utilities Staff has been questioned regarding this and believes there is no City infrastructure remaining on the property that the City wishes to retain, and has no desire to retain the property. City Staff believes it would be in the best interest of the City to have this property return to the City Tax Roll and to relieve the City of the maintenance of the empty lot. We are asking that you all approve the resolution declare this property surplus and authorize the upset bid process for the sale.



Mayor Hall called on Ms. Gilley.

Ms. Gilley said 101 Byrd Street was the site of the water tank until Council authorized for it to be decommissioned and demolished several months prior. It was now a vacant lot. An adjacent property owner had asked to purchase it and his offer was \$1,500. It did not have a sewer line running through it. It backed up to the interested party's yard and he had paid the five percent deposit. The Public Utilities Group recommended there was no need to keep the property since the infrastructure of the City had been taken off. Staff recommended that it be sold using the upset bid process and that it start with the bid that had been submitted. It would be back on the tax rolls and there would be no maintenance required by the City to keep the property up.

Mayor Hall advised it was a small fenced in parcel.

A motion was made by Council Member Ellis to adopt a resolution declaring 101 Byrd Street, Tax Parcel ID number 169308, surplus and authorizing the negotiated offer and upset bid process. Council Member Underwood seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

Mayor Hall said that property was now on the market.

RESOLUTION AUTHORIZING UPSET BID PROCESS

WHEREAS, the City of Eden owns certain property with Rockingham County Tax Parcel Identification number: 111731, Byrd Street, Eden, NC; and

WHEREAS, North Carolina General Statute § 160A-269 permits the city to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the City has received an offer to purchase the property described above, in the amount of \$1,500, submitted by Ronnell Wilson; and

WHEREAS, Ronnell Wilson has paid the required five percent (5%) deposit on his offer;

THEREFORE, THE CITY COUNCIL OF THE CITY OF EDEN RESOLVES THAT:

1. The City Council declares Rockingham County Tax Parcel with Identification Number 111731 as surplus property.
2. The City Council authorizes the City Staff to use the upset bid procedure for the property described above pursuant to North Carolina General Statute § 160A-269.
3. The city clerk shall cause a notice of the offer to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
4. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the city clerk within 10 days after the notice of the offer is published. At the conclusion of the 10-day period, the Director of Planning and Inspections shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
5. If a qualifying higher bid is received, the city clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.
6. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
7. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The city will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The city will return the deposit of the final high bidder at closing.
8. The terms of the final sale are that the City Council must approve the final high offer before the sale is closed, which it will vote to do within 30 days after the final upset bid period has passed, and the buyer must pay with cash, cashier's check, or certified check at the time of closing.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above shall be voted upon by City Council or acceptance or rejection.
10. The city reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all offers/bids.

APPROVED, ADOPTED AND EFFECTIVE this 16th day of May, 2023.

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

REPORTS FROM STAFF:

a. City Manager's Report.

Mayor Hall called on City Manager Jon Mendenhall.

Mr. Mendenhall said he wanted to highlight a few items. He had been spending a lot of time at Public Works, and there were a lot of good City employees, all 179 employees. The City had a really good Public Works Department. From a management standpoint, that was very beneficial. He hoped Council would take time to talk to them individually and thank them for their hard work. It was not a great job sometimes, it was a great job all the time day in and day out. He really appreciated everything they did. The Fire Department had made great strides and increased their ISO classification from a Class 4 to Class 3. That was really good. The ISO class rating was 1 to 10, one the best and 10 the worst, across the country and the department had made major improvements due to training, staffing, equipment and investment provided by Council. He thanked Council for that and thanked the employees for their dedication to public service and the citizens they served. It was reflected in the ISO report. The City had a top-notch, top-tier department and top-notch employees. Other items to note that were not in the report were that Eden was now part of the Dan River State Trail and partnering with the state to do so and leveraging those resources. The City was proud to be part of the cultural, historical and ecological heritage the Dan River offered to all residents. The second item was a thank you to the Rockingham County Soil and Water Conservation District and Jason Byrd who was the local county conservationist for removing the debris from around the pylon at Bridge Street. There was a lot of debris piled on the pylon and erosion around it. He had talked with Mr. Byrd about it. Mr. Byrd indicated that it cost \$86,000 in grant funds from the USDA. His office administered the funds. The mechanical equipment was at the boat landing over the weekend, it was an excavator on floats. By removing the debris, it safed up some of the erosion and benefitted the river, river access and users, and made it safer for everybody using the river. Finally, the county adopted a supporting resolution at their last meeting endorsing the City's transportation improvements that were forwarded to them and making those their priorities as well.

Mayor Hall said he appreciated the county's support as there had been a lot of work into the transportation plan. He congratulated the Fire Department for the upgrade in the insurance rating.

Council Member Underwood said he believed the Fire Department missed getting a Class 2 rating by only two points so there was room for them to get that. There had been many years of preparation and hard work and Council support. He was pretty well pleased with it.

Mayor Hall said there were additional copies were available at the meeting, online and in Eden's Own Journal.

ADMINISTRATION DEPARTMENT

Marketing & Communications Office

Our 20th Annual Piedmont Pottery Festival is set for Saturday, June 4 at the First Presbyterian Church located at 582 Southwood Drive here in Eden, NC from 9 a.m. until 3 p.m. Potters from all over North Carolina and Virginia will be on site with beautiful handcrafted pottery along 2 handmade jewelry vendors. Entry is FREE and there will be pottery door prizes all day long. We hope you will join us for this treasured tradition.

Our Spring Grown & Gathered held at the Spray Mercantile SOLD OUT once again. Guests enjoy a wonderful dinner prepared with locally grown food, and products along with live music. The Mercantile is the perfect back drop for this elegant evening outside in beautiful Eden, North Carolina. We appreciate all those that purchased tickets.

We hope to see everyone at our Oink & Ale event in Uptown Eden along Monroe Street on Saturday, June 17 from 7 p.m. until 10 p.m. This is going to be the biggest 80's street festival of the year. The evening consists of a live concert from 80z Nation, barbecue vendors along with other foods, beer tastings, beer garden, axe throwing, and games. Entry fee is \$5 and includes your tasting glass. SEE YOU THERE! Don't miss it.

The Charlie Poole Festival is back June 9 & 10. Come celebrate the life and talent of Charlie Poole with two days of music, competitions, workshops, history, food trucks, artisan vendors and FUN. The event will take place at Rockingham Community College located in Wentworth, NC and there will be onsite tent and RV camping availability. Ticket info can be found at Charlie-Poole.com.

PARKS & RECREATION DEPARTMENT

Recreation Division

Bridge Street: The Bridge Street Recreation Center has been busy with daily walkers and fitness classes. It has also been rented out for parties and special events during the month of April.

Mill Avenue: Pickleball is being played on Monday, Tuesday, Wednesday and Friday. Cornhole has started back up. Kids are coming each day after school to play basketball and hang out.

Mill Avenue Pool/Freedom Park Splash Pad: The Mill Avenue Pool and Freedom Park Splash Pad are now closed. We are still accepting applications for lifeguards and splash pad attendants for the upcoming season. We have interviewed most all the applicants in March. The pool and splash pad will open May 27.

Freedom Park: Prowler's baseball and softball has started at Freedom Park on Mondays, Tuesdays, Thursdays and some Fridays. Weekend tournaments with either adult or girls fast pitch has started and are moving along. Starting in May the Car Cruise In will start on the last Saturday of the month.

Senior Citizens: We had 1,475 visits during the month of April. Our seniors are taking advantage of senior center programs. Tax season is over now at the center. The outdoor programs are picking up now since warmer weather is here.

Special Events: The new Purina Bark Park ribbon cutting event and activities will be on May 19.

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

Local code complaints have picked up as they typically do this time of year; however, it is now mowing season and the high grass complaints are steadily coming in either by phone or through our *SeeClickFix* app available to all citizens. The high grass complaints will continue to increase daily as the season progresses. 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 have notices sent to the property owners. Most abatements are being handled by outside contractors as Facility Maintenance is tied up with other duties.

Local Codes Inspections April 1– April 30, 2023

Total Local Code Inspections Performed 68

Local Code Notices Sent 55

Local Codes Abated 3

Abated by contractor 0

Abated by Property Owner 3

Permits

Building and trade permit applications are received in person, via e-mail and by fax then issued from the Planning Department. Hard copies of permits are mailed to contractors usually once a week on Friday. A copy of each permit is filed by property address for each trade.

Inspections & Permits April 1 – April 30,2023

Total Inspections Performed 203 (Does not include fire inspections)

Total Permits Issued 132

The Dollar General and Shoe Show Mega projects were both completed this month and are fully open. Mechanical and electrical inspections are conducted on almost a daily basis at the Purina project as the production lines are being completed. Carolina Quikcare (urgent care facility) has submitted site and building plans for a facility located at 529 S. Van Buren Road. We are currently waiting for any NCDOT comments before proceeding.

Boards & Commissions

The Community Appearance Commission met for the month of April and discussed future projects.

The Historic Preservation Commission met for the month of April and discussed future projects.

The Tree Board met for the month of April and discussed future projects. CITY MANAGER'S REPORT-MAY 2023- PAGE 3

The Planning Board met for the month of April to review Zoning Case Z-23-02, map amendment of a parcel of approximately 0.10 acres on Jay Street from Residential 12 to Business General. Application filed by John D. Smith, III of JS of Eden Enterprises Inc., owner of subject property. The Planning Board approved the request.

Mural Project

Staff had site visits on location with multiple artists to go over the specifics of the mural project. Staff received one quote from an artist and will present the details of the bid to the Historic Preservation Commission at May's monthly regular meeting. Staff plans to receive more bids in the upcoming month.

Ferry Road Sign Project

Staff had a meeting with a local resident to discuss their knowledge of the location and history of the Ferry Road. Staff plans to present the information to the Historic Preservation Commission at May's monthly regular meeting.

POLICE DEPARTMENT

The Tait radio project has been completed.

Two FORD F-150 Police Responders (Detective) been upfitted by Campbell-Brown. The third F-150 Police Responder has been dropped off for upfit with a tentative completion date of May17, 2023.

Trainee Philip Martin has transferred to the GTCC BLET where he was selected as the class leader. His test scores have been good since the transfer and he is on track to graduate the beginning of August.

Officer Dylan Jones was hired and has been assigned as the SRO at Homes Middle School. Dylan returns to us from Reidsville Police Department where he was assigned as the SRO at Reidsville Middle School.

We are currently conducting background investigations on two potential hires. If selected both would begin BLET in July/August 2023. We have three additional applicants that we are currently scheduling for interview.

FIRE DEPARTMENT

The regular State Fire Marshal's ISO grading has yielded an improvement in the Fire Department ISO grade from a Class 4 to a Class 3 which reflects improved fire suppression, prevention, training, staffing, equipment and a supporting water system for use during fire emergencies. City Administration wishes to thank each and every firefighter for their continued efforts each and every day.

PUBLIC WORKS DEPARTMENT

Construction

Work is on-going in the vicinity of Monroe Street related to street improvements in that area. Once work is completed on Monroe Street, the Construction Unit will be shifting gears to address some waterline replacement work in order to improve water distribution in areas of the city that have been identified for waterline replacement.

Street Division

Work is on-going with street signs, right-of-way mowing, and betterment of asphalt condition through the various crews responsible for this work. Asphalt patching has been particularly busy as preparation is made for street resurfacing.

Collections & Distribution

With recent rains, no reportable sanitary sewer overflows were observed; however, work continues with EPA compliance so that the sanitary sewer collection system is resilient and reliable in all weather events.

Solid Waste

Completed clean-up week in April and reported good participation with many loads of waste hauled to the landfill. Solid Waste Division employees wish to thank participating residents for their efforts in helping keep Eden beautiful. Representatives from the City Administration are working with outside agencies (PTRC) to determine if a keep Rockingham County Beautiful program would be beneficial for the area and to bring added resources locally to address littering.

Fleet

The fuel system project has moved to the next phase following completion of rough grading of the site, plans have been delivered for construction to begin soon.

Utilities

The water treatment works were inspected and passed their annual inspection during the reporting period. New personnel have been on-boarded as part of succession planning. Capital projects are being addressed; however, a backlog in contractor availability has hindered some capital project progress as the City awaits vendors to complete necessary and crucial work at both the water and wastewater treatment works

CONSENT AGENDA:

- a. Approval and adoption of the (1) March 16, 2023 budget retreat, (2) April 18, 2023 regular, and (3) April 24, 2023 special Council meeting minutes.
- b. Modernization efforts in administration.

Mr. Mendenhall wrote in a memo: City Administration staff are working to culminate two large projects, the City Attorney's Office is working to complete the re-codification of the City Code which will provide valuable modernization, streamlining updates, and a searchable code database for residents and staff alike. Administratively, we are also working to streamline and make more efficient the various administrative policies and procedures of the City. By doing this we are aligning each policy/procedure with its functional area so that the employees in the department that are responsible for each policy have their collective policies and procedures in one place. Below is the planned outline of the re-organization of administrative policies and procedures, this will impact all administrative policies

and procedures except those identified as “Council Policies”. City Council is requested to repeal all non-council policies so that the policies can be re-organized and more effectively reviewed and modernized as conditions/context dictate.

Department of Administration
 ADMIN – General Administrative
 DC – Design & Construction
 PMO – Projects

Department of Finance & Human Resources
 FIN – Finance
 HR – Human Resources

Department of Information Technology
 IT – Information Technology

Police Department
 PD - Police

Fire Department
 FD - Fire

Department of Public Works
 PW – Public Works (department-wide)
 SW – Solid Waste
 CD – Collections & Distribution
 S - Streets
 F - Fleet
 U – Utilities

Department of Planning & Community Development
 PZ – Planning & Zoning
 IP – Inspections/Permitting
 CED – Community & Economic Development

Department of Parks & Recreation
 REC – Recreation
 FG – Facilities & Grounds

c. Approval and adoption of Budget Amendment #7.

Ms. Winn wrote in a memo: The attached budget amendment allocates funds received from the State of North Carolina for Unauthorized Substance Excise Tax. These funds are generated due to cases that are worked by the Eden Police Department. The Police Department will use these appropriated funds to purchase weight room equipment, furniture for additional office, and supplies/equipment for patrol and detective division.

	Account #	From	To	Amount
General Fund Revenues				
Police Unauthorized Substance Tax	10-3431-41800	\$ -	\$ 16,900.00	<u>\$ 16,900.00</u>
General Fund Expenditures				
Police Departmental Supplies	10-4310-29100	\$ 40,000.00	\$ 56,900.00	<u>\$ 16,900.00</u>

Appropriates funds received from State of NC for Unauthorized Substance Tax.

Adopted and effective this 16th day of May, 2023.

Attest

Deanna Hunt, City Clerk

Neville Hal, Mayor

d. Approval and adoption of Budget Amendment #8.

Ms. Winn wrote in a memo: The attached budget amendment allocates funds received from Prowler Sports activities. These funds were not initially included in the FY 22-23 budget. This budget amendment increases the Recreation Program Activities line item.

	Account #	From	To	Amount
General Fund Revenues				
Prowler Sports	10-3612-41400	\$ -	\$ 15,800.00	<u>\$ 15,800.00</u>
General Fund Expenditures				
Recreation Program Activities	10-6120-29600	\$ 62,400.00	\$ 78,200.00	<u>\$ 15,800.00</u>

Appropriates funds received from Prowler Sports fees.

Adopted and effective this 16th day of May, 2023.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

e. Approval and adoption of Budget Amendment #9.

Ms. Winn wrote in a memo: The attached budget amendment allocates funds received from a grant from NCDEQ for an electric vehicle charging station with (4) charging ports on Henry Street. This budget amendment increases the Planning & Community Development C/O Equipment line item.

	Account #	From	To	Amount
General Fund Revenues				
EV Charging Station Grant	10-3491-87000	\$ -	\$ 13,300.00	<u>\$ 13,300.00</u>
General Fund Expenditures				
Planning & Comm Dev C/O Equipment	10-4910-57001	\$ -	\$ 13,300.00	<u>\$ 13,300.00</u>

Appropriates funds received from Electric Vehicle Charging Station grant.

Adopted and effective this 16th day of May, 2023.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

f. Approval of a pyrotechnics permit for the Morehead High School graduation ceremony.

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

ANNOUNCEMENTS:

Mayor Hall called on Marketing and Special Events Manager Cindy Adams.

Ms. Adams said all the excitement started Thursday as the sold-out Grown & Gathered would be held along the Spray Canal and Mercantile. It looked to be a perfect evening outside in the low 70s. Friday afternoon from 5 to 7 would be the opening of the new Purina Bark Park with local dignitaries and people from Washington, D.C., and St. Louis. It would be a big deal. People had really responded through social media and she was looking for a big crowd. Purina would be giving out treats. The Purina Incredible Dog Team would be performing. Dogs would be let into the course with the agility equipment. She thanked Interim Parks & Recreation Director Ray Thomas and Facilities & Grounds' Brett Curry and their staff who had both worked very hard on the park. Staff would be working on it up until the day of the event to spruce it more every day. She thanked Purina for making it possible. There would be food trucks there and people could plan to have supper. It would be nice and there were places to eat. June 3 was the 20th annual Piedmont Pottery Festival with more potters than they had

ever had and they were at capacity in First Presbyterian Church. June 17 was Oink & Ale in Uptown Eden along Monroe Street. It was a fun and busy time. She hoped everyone would join in.

Mayor Hall noted it was not a City event but The Charlie Poole Festival would be June 9 and 10 at Rockingham Community College.

Council Member Ellis wanted to congratulate the graduating seniors from the county schools. He was proud of the seniors from Morehead and the adjoining schools in the county.

Mayor Hall said Morehead's baseball team was playing in the third round of the state championships and they had never advanced that far. Hopefully they would be at the June meeting and recognized as champions.

Council Member Underwood asked Ms. Stultz the status of Draper School and the fire station.

Ms. Stultz said the architectural drawings and specifications had been received for the fire station. They had the reports back from the homeless shelter and there were no air quality issues in it. They anticipated having the budget document back that week and could submit everything to the state. They anticipated them releasing funds shortly thereafter and could then go out to bid, and the same with the school. They had submitted everything for the school and were just waiting on an answer from the Department of Commerce.

Council Member Ellis asked if they were in the same situation with the school they were in years ago with the water and sewer rates, that they could not get grants if they did not spend any money.

Ms. Stultz said there was an issue with the school's roof. Staff asked the state to allow that it be done separate and apart from the grant in hopes that it could be put back on while they were waiting to get through all the hoops. There was an estimate of about \$94,000 to fix it because some of the flat roof had deteriorated and the entire thing would need to be done.

Council Member Underwood said he had been through it a couple of weeks prior and if they did not do something with the roof, they would not have anything there to work with.

Council Member Ellis asked Mr. Mendenhall if they could use the bids received less than 60 days prior.

Mr. Mendenhall said it would be a discretionary act by Council who heretofore had wanted to use grant funds which was a very good idea. Council could instruct staff to use City funds to put either a temporary, semi-permanent or permanent roof on.

Council Member Ellis asked if any City funds had been invested in the property.

Mr. Mendenhall said other than staff time to record the deed and that sort of thing, no.

Council Member Nooe asked then while staff was at it, to make an informed decision while they were going that route, to get a cost estimate on tearing the building down.

Mr. Mendenhall said staff would be happy to.

Mayor Hall said the property was acquired by the City with the very clear understanding that it would be paid for with grant money and that was part of the reason they proceeded the way they did. He would caution if Council did the opposite of what they said they were going to do. He would love to see it fixed but also did not want to go against what was approved.

ADJOURNMENT:

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

Respectfully submitted,

Deanna Hunt
City Clerk

ATTEST:

Neville Hall
Mayor



**APPLICATION FOR PERMIT TO DISPLAY PYROTECHNICS
TO THE CITY COUNCIL OF THE CITY OF EDEN**

1. Name, address, and telephone number of the person seeking permit for display of pyrotechnics:
Kenneth Kirkman, 319 Howe St., Eden, NC 27288
2. The name of the event at which pyrotechnics is to be displayed:
Kiwanis Fourth of July Celebration
3. If the event is to be conducted for, on behalf of, or by an organization, provide the name, address, telephone number of the headquarters of the organization, and of the authorized and responsible head of such organization:
Eden Kiwanis, 319 Howe St., Eden, NC 27288
4. The date of the event at which the pyrotechnics is to be displayed:
July 4, 2023
5. The type of event at which the pyrotechnics will be displayed:
July 4th celebration
6. A statement as to whether the event will be held indoors or outdoors:
Outdoors
7. The location of the event at which pyrotechnics will be displayed:
Morehead High School stadium
8. If the event is to be sponsored by or on behalf of any person other than the applicant, the applicant for such permit shall file with the application a written authorization from the person proposing to hold the parade authorizing the applicant to apply for the permit on his behalf.

9. The applicant shall file with the application any required proof of insurance by Eden City Code.

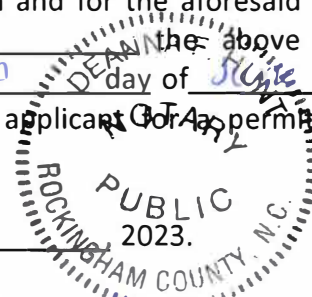
10. I hereby certify that the forgoing information is true to the best of my knowledge.

[Signature] 6-8-23
Signature of Applicant Date

STATE OF NORTH CAROLINA
ROCKINGHAM COUNTY

I, Deanna F. Hunt, a Notary Public, in and for the aforesaid County and State, do hereby certify that Kenneth Kirkman the above mentioned applicant, personally appeared before me this the 8th day of June, 2023, and subscribed and made oath to the foregoing application for a permit to display pyrotechnics in the City of Eden.

Witness my hand and seal, this the 8th day of June



Deanna F. Hunt
Notary Public

Deanna F. Hunt
Name of Notary

My Commission expires: 3/18/27

[Signature]
Approved by Fire Marshal

[Signature]
Approved by City Manager

Hale Artificier, Inc.
Fireworks and Pyrotechnics
Fireworks Display Contract

This contract and agreement, for the sale and display of fireworks made and concluded this 4th day of April, year of 2023 A.D., by and between Hale Artificier, Inc. of Lexington, North Carolina, hereinafter referred to as "Hale Artificier" and Kiwanis of Eden, NC, P.O. Box 381, Eden, NC 27288, hereinafter referred to as "Client".

Witnesseth: For and in consideration of the mutual covenants herein contained and other valuable consideration in hand paid, receipt of which is hereby acknowledged, and of the terms and conditions hereinafter mentioned, the parties of this contract do mutually and severally agree to perform their several and respective covenants and to guarantee terms, conditions and payments of this contract.

1.0 - DISPLAY

1.1 - Hale Artificier agrees to sell, provide and deliver to the Client fireworks, presented in an attached document(s) labeled "Display Package", to be exhibited at the designated site, presented in the attached document(s) labeled "Display Site", which are set forth and agreed upon at the time of the signing of this agreement and incorporated herein.

1.2 - Fireworks are to be provided for display on the event date(s) of: Tuesday July 4, 2023
In the event of Fire, Strikes, Delay, Flood, Acts of God, or other causes beyond the control of Hale Artificier, which prevents the delivery of said fireworks the parties hereto release each other from any and all performances of the covenants herein contained and from damages resulting from the breach thereof.

1.3 - It being mutually understood and agreed that should inclement weather prevent the presentation of said display on said date(s), a meeting of the parties will be held to discuss the postponement date(s). It is agreed to and understood by the parties hereto that in the event the fireworks have been taken out and set up before the inclement weather and with better weather prevailing, then such exhibition of fireworks must be carried out in the safest possible manner without any deduction from the hereinafter named compensation. **It is agreed that the first possible postponement/Rain Date will be: To Be Determined**.

1.4 - If, due to the occurrence of a contingency as described above, with the aforementioned date(s) it is in Hale Artificier's reasonable judgement, impossible or impracticable to present the display at the date(s) and time(s) specified, Hale Artificier and Client will confer with a view towards reaching a mutually satisfactory postponement date. In the event that the mutually satisfactory postponement date is beyond the day following the scheduled exhibition and Hale Artificier personnel and equipment are required to return to their original point of origin the Client shall be obligated to pay actual and reasonable cost of transportation and travel of materials and personnel to the display site not to exceed fifteen percent (15%) of the Contract price. In the event a mutually satisfactory postponement date cannot be determined, or if once determined, that postponement date must, due to any such contingency, be likewise postponed, then and in such event the Client shall have no obligation to pay the remaining balance of the sum to be paid hereunder, and the deposit previously made by the Client shall be for with returned to the Client, LESS any and all reasonable costs and expenses incurred by Hale Artificier in the anticipation of presenting said display, including, but not limited to, costs associated with setup and takedown of equipment, and transportation of materials and Hale Artificier personnel.

2.0 - SAFETY AND SECURITY

2.1 - Hale Artificier agrees to provide for the display, TWO or more Trained and Licensed Pyrotechnicians as personnel to present the said display. Client agrees to procure and provide a suitable place to display the said fireworks, and secure all applicable Local, State and Federal Permits, licenses, and approvals. Client is also to provide for any and all necessary Law Enforcement, Fire Code Officials, and Fire Prevention Personnel. In the event "Hale Artificier incurs additional costs for securing said permits, licenses, approvals, or has to hire Law Enforcement or Fire Prevention Personnel, the Client will reimburse said costs to Hale Artificier.

2.2 - Client or the Sponsoring Agency shall provide ample Law Enforcement and Fire Prevention and Control for Hale Artificier for the protection of its property and the execution of the fireworks exhibition without the interference from the Public.

2.3 - Client shall provide and set up posted restraining lines pursuant to the instructions supplied by Hale Artificier and in compliance to all rules, order, and regulations or the National Fire Protection Association (NFPA). Inside this perimeter is hereinafter referred to the "Security Zone". Outside this perimeter is hereinafter referred to the "Safety Zone". It is further agreed and understood by the parties hereto that the said minimum spectator viewing, parking, dwellings and fallout area(s) shall be in compliance with the National Fire Protection Association (NFPA) 1123 code for Outdoor Display of Fireworks, as amended. Hale Artificier will not be responsible for, or pay for any property damage of personal injuries that occur from non-compliance of said code and its safety distances. Hale Artificier is not responsible for damages to any public or private property in this area and also any other area where similar damages occur due to wind velocity or changes in wind direction.

2.4 - Client also agrees to provide adequate security personnel and protection to preclude all individuals other than those authorized by Hale Artificier from entering the Security Zone. In the event that Client desires to have designated representatives within the Security Zone, before, during and after said exhibition, appropriate waiver(s) of liability must be executed for each individual.

2.5 - No unauthorized personal property of any kind, including, but not limited to motor vehicles shall be allowed within the Security Zone. Prior to, during and immediately following the display of fireworks, Client shall be solely responsible to secure access and maintain the perimeter if the Security Zone, keeping all unauthorized persons out of the Security Zone.

Client shall hold Hale Artificier harmless and indemnify Hale Artificier from any liability, including claims against Certificate(s) of Insurance or Bond, because of Client's breach of this paragraph.

Hale Artificier, Inc.
Fireworks and Pyrotechnics
Fireworks Display Contract

3.0 - COMPENSATION

3.1 - Client agrees to compensate Hale Artificier the sum \$12,000.00 (Twelve Thousand Dollars) for the said fireworks display(s). Unless otherwise stipulated in this contract, as an addendum, Payment is to be made in two parts, Fifty Percent (50%) of the total sum at the signing of this agreement and the remaining balance of contract by July 15, 2023. Interest will be charged for any late payment on the contract price at a rate of three and one-half percent (3.5%) per month until final debt has been paid. In the event an attorney is employed to enforce collection of any sums due under this contract, Client agrees to pay all costs and expenses of collections including all attorney's fees incurred by Hale Artificier.

3.2 - In the event additional sums are due Hale Artificier as agreed to herein, including, but not limited to reimbursement of expenses, payment is due within thirty (30) days after completion of fireworks display(s)

3.3 - All payments shall be made by draft or certified check payable to the order of Hale Artificier, unless otherwise specified and authorized in writing, and NO CASH shall be paid to agents or employees of Hale Artificier without written authority.

3.4 - In the event that Client elects to cancel the fireworks display, due to weather concerns or other natural events. Hale Artificier shall retain from the first sections of payment and Client agrees to pay Hale Artificier, a MINIMUM of Twenty Percent (20%) of total contract price, as liquidated damages.

3.5 - If, for ANY reason, other than as previously defined in this contract in sections 1.1 through 1.4, Client elects to cancel fireworks display at the "last minute" which will be defined as within 48 hours prior to the named display date and time, then Client is obligated to pay the full compensation price in sections 3.1, irregardless of the cancellation notice designated in section 3.4 above.

4.0 - INDEMNIFICATION

4.1 - Client shall indemnify Hale Artificier against any and all liability to any person or persons for, or by reason of, any condition which is the responsibility of the Client in connection with the exhibition, and against any and all liability to any person or persons by any act of omission of Client or any of its agents, servants, or employees.

4.2 - Hale Artificier agrees to indemnify Client against any and all liability to any person or persons for, or by reason of, any conditions which is the responsibility of Hale Artificier in connection with the exhibition, and against any and all liability to any person or persons by any act of omission of Hale Artificier or any of its agents, servants or employees.

4.3 - Hale Artificier agrees to provide attached documents presenting proof of Liability Insurance obtained for the exhibition in the amount complying with local regulations.

4.4 - For displays on properties owned by the State of North Carolina, Hale Artificier, Inc. does indemnify and hold harmless the State of North Carolina for the duration of any activities related to this fireworks program.

4.6 - Under the terms of this contract, Hale Artificier, Inc. will name City of Eden, Rockingham County, Rockingham County Schools, Kiwanis International, Kiwanis of Eden as an additional Insured, under the terms of this contract.

5.0 - OTHER COVENANTS

5.1 - Client will endeavor to indicate that Hale Artificier is the organization responsible for exhibiting the fireworks on the said date(s) in all advertisements, billings and public relations materials, to the extent practicable.

5.2 - Regardless of place of contracting, performance or otherwise, it is hereby stipulated that this agreement is to be construed and governed by the laws of the State of North Carolina.

5.3 - This agreement shall not be notified or rescinded except by written instrument signed by authorized representative(s) of Client and Hale Artificier.

5.4 - This contract shall not be construed to create a partnership between the parties or persons mentioned herein.

6.0 - SPECIAL CONDITIONS

6.1 - All displays are to be permitted through the Office of the Local County Fire Marshal, unless as otherwise provided for in the General Statutes of the State of North Carolina.

6.2 - The exact location of the fireworks display shall be Grounds at Morehead High School

7.0 - POST-DISPLAY OPERATIONS

7.1 - After the fireworks display has been completed, the discharge site security must be maintained until the Operator(s) in charge of the display and the AHJ (Authority Having Jurisdiction) have determined that the area is clear of any live materials. At that time, any Fire and Life-Safety personnel assigned to the display will be released. The Client is responsible for maintaining the security of the discharge site until the Operator(s) and crew are packed and ready to leave the site.

7.2 - The Display Operator(s) and crew will make every effort to clean up the debris associated with the display around the immediate discharge site, and make a sweep of the fallout zone to insure that there are no unexploded or live materials. If necessary, one or more of the crew will return the following morning to again make a sweep of the area for such materials that may remain.

7.3 - Any debris around the safety zone, fallout area or other areas outside of the discharge site is the responsibility of the client.

Hale Artificier, Inc.
Fireworks and Pyrotechnics
Fireworks Display Contract

8.0 Any Addendums

**Kiwanis Club of Eden and the City of Eden
Old Time July Fourth Fireworks**

\$12,000.00 program

Opening Barrage:

20 - 3" Assorted Color Finale Shells w/Tails

10 - 3" Finale Titanium Salute Shells w/Tails

6 - 4" Assorted Color Finale Shells

Main Program:

160 - 3" Assorted Aerial Shells w/Tails

108 - 4" Assorted Aerial Shells w/Tails

80 - 5" Assorted Aerial Shells w/Tails

Grand Finale:

120 - 3" Assorted Color Finale Shells w/Tails

30 - 3" Finale Titanium Salute Shells w/Tails

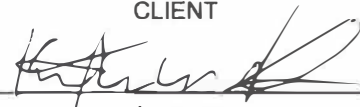
18 - 4" Assorted Color Finale Shells

15 - 5" Assorted Color Finale Shells

9.0 - SIGNATURES AND EXECUTION

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS TO THIS AGREEMENT IN DUPLICATE THIS 4th DAY OF April, IN THE YEAR 2023.

CLIENT

BY: 
signature

Kenneth W. Kerkman
printed name/title


witness

HALE ARTIFICIER

BY: Tara Locklin
signature

Tara L. Locklin, President
printed name/title

witness

**Hale Artificier, Inc.
Fireworks and Pyrotechnics**

**Kiwanis Club of Eden and the City of Eden
Old Time July Fourth Fireworks**

\$12,000.00 program

Opening Barrage:

20 - 3" Assorted Color Finale Shells w/Tails

10 - 3" Finale Titanium Salute Shells w/Tails

6 - 4" Assorted Color Finale Shells

Main Program:

160 - 3" Assorted Aerial Shells w/Tails

108 - 4" Assorted Aerial Shells w/Tails

80 - 5" Assorted Aerial Shells w/Tails

Grand Finale:

120 - 3" Assorted Color Finale Shells w/Tails

30 - 3" Finale Titanium Salute Shells w/Tails

18 - 4" Assorted Color Finale Shells

15 - 5" Assorted Color Finale Shells



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04-18-2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

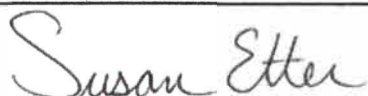
PRODUCER PROFESSIONAL PROGRAM INSURANCE BROKERAGE DIVISION OF SPG INSURANCE SOLUTIONS, LLC 1304 SOUTHPOINT BLVD., #101 PETALUMA CA, 94954	CONTACT NAME: PHONE (A/C No. Ext): 415-475-4300 FAX (A/C, No): 415-475-4304 E-MAIL ADDRESS: info@ppibcorp.com	
	INSURER(S) AFFORDING COVERAGE NAIC # INSURER A : Certain Underwriters at Lloyd's, London AA-1128623 INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :	
INSURED Hale Artificier, Inc PO Box 478 Lexington, NC 27293		

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	X		PY/23-0039	04/28/2023	04/28/2024	EACH OCCURRENCE \$ 2,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Kiwanis of Eden, NC; City of Eden, Rockingham County, Rockingham County Schools are Additional Insured as respects the Class B Aerial Fireworks display(s) on 7/4/2023 (RD: 7/5/2023) located at Kiwanis International. This policy provides a two-year extended reporting period from the date of the display. 30-day notice of cancellation applies; 10-day notice for non-payment.

CERTIFICATE HOLDER Kiwanis of Eden, NC PO Box 381 Eden NC 27288	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
---	---



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/19/2023

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PRODUCER Mountcastle Insurance P.O. Box 1937 Lexington NC 27293-1937	CONTACT NAME: Emily Smith PHONE (A/C, No, Ext): (336) 249-4951 E-MAIL ADDRESS: esmith@mountcastleinsurance.com FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE INSURER A: RWI - Penn. Natl Mutual Cas Ins Co. INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Hale Artificier, Inc 545 New Bowers Rd. Lexington NC 27292	NAIC #

COVERAGES **CERTIFICATE NUMBER:** 2022-2023 AUTO ONLY **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			AU9 2010747	09/23/2022	09/23/2023	COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ 5,000,000 BODILY INJURY (Per accident) \$ 5,000,000 PROPERTY DAMAGE (Per accident) \$ 5,000,000 \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

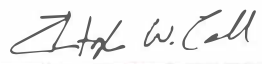
CERTIFICATE HOLDER

Kiwanis of Eden, NC
 PO Box 381

 Eden NC 27288

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE




CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/19/2023

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PRODUCER Mountcastle Insurance 307 W Center St Lexington, NC 27292 (336) 249-4951	CONTACT NAME: PHONE (A/C, No, Ext): (877) 234-4420		FAX (A/C, No): (877) 234-4421
	E-MAIL ADDRESS: PRODUCER CUSTOMER ID #		
INSURED Hale Artificier, Inc. PO Box 478 Lexington, NC 27293-0478 CTL 1273 1731684	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Continental Indemnity Co.		28258
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

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INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	GENERAL LIABILITY						
	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY	<input type="checkbox"/>	<input type="checkbox"/>				EACH OCCURRENCE \$
	<input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$
							MED EXP (any one person) \$
							PERSONAL & ADV INJURY \$
							GENERAL AGGREGATE \$
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG \$
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						\$
	AUTOMOBILE LIABILITY						
	<input type="checkbox"/> ANY AUTO	<input type="checkbox"/>	<input type="checkbox"/>				COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per person) \$
	<input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> NON-OWNED AUTOS						\$
							\$
	UMBRELLA LIAB						
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/>	<input type="checkbox"/>				EACH OCCURRENCE \$
	<input type="checkbox"/> OCCUR						AGGREGATE \$
	<input type="checkbox"/> CLAIMS MADE						\$
	<input type="checkbox"/> DEDUCTIBLE						\$
	<input type="checkbox"/> RETENTION \$						\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N						<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER
	(Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below	N/A	<input type="checkbox"/>	46-879245-01-10	12/01/2022	12/01/2023	E.L. EACH ACCIDENT \$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach Acord 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER**CANCELLATION**
Kiwanis of Eden, NC
PO Box 381
Eden, NC 27288
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

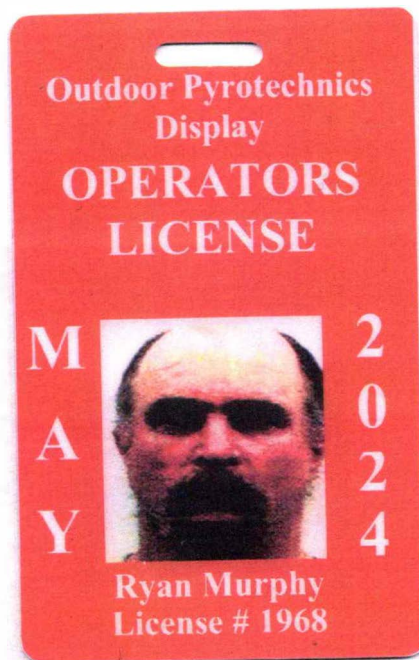
1000002116

Virginia State Fire Marshal's Office



Certified Pyrotechnician
Aerial

Name: Murphy, Ryan K.
Certification #: 24517786NC
Effective Date: April 30, 2019
Expiration Date: April 30, 2022



Current Pyrotechnic License Holders

Select License Type of Interest

- | License Type | License Level |
|--|--|
| <input checked="" type="checkbox"/> Pyrotechnic 1.3G | <input checked="" type="checkbox"/> Operator |
| <input type="checkbox"/> Pyrotechnic 1.4G | <input type="checkbox"/> Assistant |
| <input type="checkbox"/> Proximate Audience | |

Get List

Get License Holder Information

Pyrotechnic License Number **Driver's License Number**

1968

Search for License

Holder's Full Name: Ryan Keith Murphy
Business Name: Hale Artificer Inc
Government ID By: North Carolina
Government ID Type: Driver License
ID Number: *****7786



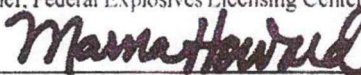
License Number: 1968
License Type: 1.3G Pyrotechnic
License Level: Operator
License Status: Valid
Expiration Date: 07/31/2021

Get a list of license holders by Last Name or Business/Employer

Last Name **Business/Employer**

Search for List

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF Correspondence To	ATF - Chief, FELC 244 Needy Road Martinsburg, WV 25405-9431	License/Permit Number	1-NC-057-51-4J-00088
Chief, Federal Explosives Licensing Center (FELC)		Expiration Date	September 1, 2024

Name
HALE ARTIFICIER INC

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

**345 DAISY COURT
LEXINGTON, NC 27292-**

Type of License or Permit

51-IMPORTER OF EXPLOSIVES


Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

**HALE ARTIFICIER INC
545 NEW BOWERS RD
LEXINGTON, NC 27292-**


Licensee/Permittee Responsible Person Signature
JEFF HALE
Printed Name


President
Position Title
8/28/21
Date



ATF Form 5400.14-5400.15 Part 1
Revised September 2011

Previous Edition is Obsolete HALE ARTIFICIER INC 345 DAISY COURT 27292-1-NC-057-51-4J-00088-September 1, 2024 51-IMPORTER OF EXPLOSIVES

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
244 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

Change of Address (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **(The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here ✂

Federal Explosives License/Permit (FEL) Information Card	
License/Permit Name:	HALE ARTIFICIER INC
Business Name:	
License/Permit Number:	1-NC-057-51-4J-00088
License/Permit Type:	51-IMPORTER OF EXPLOSIVES
Expiration:	September 1, 2024
Please Note: Not Valid for the Sale or Other Disposition of Explosives.	



HALE ARTIFICIER, INC.

Safety Procedures for Fireworks Displays

NFPA 1123 Codes are to be followed at all times.

1. Firing Procedure:

- A. Operators are to use the Pre-display checklist provided in the display paperwork. AT NO TIME are the materials to be left unattended.
- B. Upon arrival at the site, check site conditions for any hazards that may impede the safety of the display operation.
- C. Insure the site meets all distance requirements.
- D. Confirm that there is adequate ingress and egress for emergency vehicles.
- E. Inspect all racks and equipment as it is coming off the truck. Any equipment that is damaged, or broken is not to be used in the display.
- F. All mortar racks are to be set up and installed prior to any loading of live materials.
- G. Inspect all shells and fireworks devices such as cakes, candles, and ground effects prior to loading, or placing in the firing area. Any materials found to be damaged, or not in proper condition are not to be used in the display.
- H. All materials fuses are to be situated and secured for easy access and removal of safety caps just prior to firing.
- I. (Electric firing) Any e-matching of materials will take place at least 50 feet from the truck holding the fireworks, and at least 100 feet from any public access. Limit the amount of materials in this area to just ONE box at a time.
- J. (Electric firing) Once all materials are set up, no personnel are allowed within the firing area during the continuity testing. If there is a need to check contact points, or adjust materials, the firing control panel must be disabled completely before an operator enters the firing area.
- K. (Manual Firing) Operators will use fusees (flares) for ignition of shell leaders.
- L. Previously installed multiple ignition points are to be placed along Finale racks, or any chain fused sections of the display.

545 NEW BOWERS ROAD, LEXINGTON, NC 27292

WWW.HALEARTFIREWORKS.COM

HALE ARTIFICIER, INC.

2. Termination and Emergency Procedures

- A. If, at any time before, or during the discharge of a Display, there arises a condition that adversely affects the firing or completion of the Display, the operator will IMMEDIATELY halt the display, until such a time that the condition can either be corrected, or deleted from the program.
1. The AHJ will also have the authority to halt the display, should any such condition arise.
 2. Communication between the Operator and the AHJ will be necessary to provide for the continuation of the display.
- B. If there is a weather related concern, the display is to be halted, or postponed, until better conditions prevail. If there is no alternative, or if conditions remain at an unsafe level, then the Operator is to cancel the display, and the Rain Date option will be considered.
1. All mortar racks are to be covered with tarps, plastic or other suitable materials to prevent materials from getting wet. Cakes, and other ground effects can be placed in plastic bags.
 2. Any materials that do become wet shall not be used, and are to be placed into regulation cartons and returned to Hale Artificier, Inc.
- C. If, during the display, an errant shell or malfunction of equipment causes materials to be sent towards or into the spectator area, or out of the intended fallout area, the operator will IMMEDIATELY halt the display.
1. The safety of the spectators is the primary concern, and the operator is to insure that any errant shell trajectories or malfunctions are dealt with as soon as it is safe to do so. Repositioning of the racks, or dropping that part of the display will be done before resuming any firing.
 2. A situation of this nature could cause the rest of the display to be postponed, or cancelled with the communication and cooperation of the AHJ.
 3. Identification of the errant materials and/or equipment is to be documented in the Operators display report.
 4. If there is ANY injury of any nature, to a spectator, or any other person, the display is to be halted, and the assistance of the local EMS, Fire Department, and/or other fire and life safety personnel on duty at the time is to be utilized.

HALE ARTIFICIER, INC.

D. Ingress and Egress routes are to be maintained at all times, and are to remain clear for emergency vehicles and personnel.

1. Should there be any reason to need such access, the Operator shall halt all firing, and suspend the display.
2. The Operator and other display personnel may assist such emergency personnel to control and contain any condition to insure the safety and security of the site.

3. Post Display

A. Once the display has been completed, the Operator will make the determination to break down the display equipment when he/she finds all conditions safe to do so.

1. The operator and assistants should allow at least 15 minutes for a “cool-down” period, once the display is completed.
 - a. Beginning with the mortars that were fired first, make sure that all shells and materials were discharged.
 - b. Once all racks and equipment have been cleared, the Operator will approve the break down of the display.

2. Misfired Materials

- a. Identify any and all misfired materials.
- b. Insure that there are no ignition hazards present before handling. All sparks are to be extinguished. E-matches should be disconnected and shunted, and then may be carefully removed.
- c. Carefully remove materials from the discharge area.
- d. Place materials into a regulation carton, and transport back to Hale Artificier, Inc.
- e. Record misfires in the Operator’s display report.

3. Dud Shells

- a. Identify any and all dud shells and their location.
- b. No unauthorized personnel are to be allowed in those areas.
- c. Insure that there are no ignition hazards before handling. If necessary, spray with water to extinguish any sparks or flame.

HALE ARTIFICIER, INC.

- d. Carefully remove dud shells, place into a regulation carton and transport back to Hale Artificier, Inc.
 - e. Record duds in the Operator's display report.
-
- B. The operator will assist the AHJ in conducting the post-display inspection, and sign off on any documentation the AHJ may require.
 - C. Once that inspection is completed, the operator may clear the on-duty Fire Department personnel.
 - D. The entire discharge area and fallout zones are to be inspected to insure that there are no duds, misfires, or any other materials left on the display site. If necessary, a site check is to be made early the following morning.
 - E. Clean up includes removal of all equipment, paper debris, and any other items that remain as a result of the display.



To: Honorable Mayor and City Council

Thru: Jon Mendenhall, City Manager

From: Amy P. Winn, CPA
Assistant Director of Finance

Date: June 20, 2023

Re: Budget Amendment # 10

This budget amendment increases the General Fund Police Security revenue line item and increases the Police Department's Police Security expenditure line item to reflect additional revenue received from police security charges.



MEMORANDUM

To: Honorable Mayor and City Council
 Thru: Jon Mendenhall, City Manager
 From: Amy P. Winn
 Assistant Director of Finance
 Date: June 20, 2023
 Subject: Budget Amendment # 10

	Account #	From	To	Amount
General Fund Revenues				
Police Security Charges	10-3431-41100	\$ 40,000.00	\$ 55,000.00	\$ 15,000.00
Police Security Fringe Benefits	10-3431-41200	\$ 9,600.00	\$ 14,600.00	\$ 5,000.00
				<u>\$ 20,000.00</u>
General Fund Revenues				
Police Security	10-4310-12500	\$ 40,000.00	\$ 60,000.00	\$ 20,000.00
				<u>\$ 20,000.00</u>

Appropriates additional revenue generated by police security.

Adopted and effective this 20th day of June, 2023.

Attest:

 Deanna Hunt, City Clerk

 Neville Hall, Mayor



To: Honorable Mayor and City Council

Thru: Jon Mendenhall, City Manager

From: Amy P. Winn, CPA
Assistant Director of Finance

Date: June 20, 2023

Re: Budget Amendment # 11

The Youth Council hosts charity events throughout the year. This budget amendment increases the General Fund Youth Council Charity revenue and the Youth Council expenditure line item for the funds received for the charity events.



MEMORANDUM

To: Honorable Mayor and City Council
Thru: Jon Mendenhall, City Manager
From: Amy P. Winn
Assistant Director of Finance
Date: June 20, 2023
Subject: Budget Amendment # 11

	Account #	From	To	Amount
General Fund Revenues				
Youth Council Charity Event	10-3350-00910	\$ -	\$ 3,700.00	<u>\$ 3,700.00</u>
General Fund Expenditures				
Youth Council	10-4110-29600	\$ 500.00	\$ 4,200.00	<u>\$ 3,700.00</u>

Appropriates funds received from Youth Council Charity events.

Adopted and effective this 20th day of June, 2023.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor



To: Honorable Mayor and City Council

Thru: Jon Mendenhall, City Manager

From: Amy P. Winn, CPA
Assistant Director of Finance

Date: June 20, 2023

Re: Budget Amendment # 12

Each year a fund balance is calculated for Riverfest based on the beginning fund balance and revenues over/under expenditures. At June 30, 2022, Riverfest had a reserved fund balance. This budget amendment appropriates a portion of the fund balance at June 30, 2022 to the Riverfest expenditure line item.



MEMORANDUM

To: Honorable Mayor and City Council
Thru: Jon Mendenhall
From: Amy P. Winn
Assistant Director of Finance
Date: June 20, 2023
Subject: Budget Amendment # 12

	Account #	From	To	Amount
General Fund Revenues				
GF Fund Balance Appropriated - Festivals	10-3992-99200	\$ -	\$ 3,000.00	<u>\$ 3,000.00</u>
General Fund Expenditures				
Riverfest	10-4135-30210	\$ 45,000.00	\$ 48,000.00	<u>\$ 3,000.00</u>

Appropriates GF fund balance that was reserved at June 30, 2022 for Riverfest.

Adopted and effective this 20th day of June, 2023.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

CITY OF EDEN
OFFICE OF CITY MANAGER

MEMORANDUM

TO: Honorable Mayor Neville Hall, and Members of the City Council
FROM: Jon M. Mendenhall, City Manager
SUBJECT: 10 Year CIP, Establishing a Capital Reserve Fund
DATE: 6/12/23
ENCL: Resolution on Capital Reserve Fund – General Fund June 2023
Resolution on Capital Reserve Fund – Water-Sewer Fund June 2023
CC: File

As part of the budget process, a 10 Year Capital Improvement Plan (CIP) is presented annually detailing the planned capital improvements over the next 10 years. You are asked to:

1. Adopt the Capital Improvement Plan

Along with the Capital Improvement Plan, looking into the future, there will be a need in some fiscal years to appropriate funds to cover large purchases (e.g. fire trucks, police cars, water meters). Rather than rely on the appropriation of fund balances during these peak periods when capital expenditures are projected to spike, staff is recommending that we create reserve funds in each fund (one reserve for the General Fund, one reserve for the Water-Sewer Fund) to allow incremental savings to occur in order to pay for the anticipated peak years. You are asked to:

2. Adopt the Resolution on Capital Reserve Fund – General Fund 2023 and Budget Amendment 13 to fund the resolution.
3. Adopt the Resolution on Capital Reserve Fund – Water-Sewer Fund 2023 and Budget Amendment 14 to fund the resolution.

By doing these things, the City is building a long-term financial road map relying on Pay-Go financing as well as creating opportunities in future years for capital improvement while not increasing the burden on tax and utility rate payers. Over time, the combination of paying down debt and making provision for large capital purchases the City will be propelled into a low debt, moderate reserve environment which should be the springboard for continued and ongoing rate stabilization of both tax and utility rates through prudent financial management.

A RESOLUTION OF THE CITY OF EDEN ESTABLISHING A CAPITAL RESERVE FUND
FOR THE GENERAL FUND

WHEREAS, under North Carolina General Statute §159-18 the City of Eden is authorized to establish a capital reserve fund for any purposes for which the City may issue bonds; and

WHEREAS, there is a need in the City of Eden to maintain an effective fleet of emergency management (Police and Fire) vehicles to meet service levels and demands;

WHEREAS, there is a need in the City of Eden to provide funds for these future capital projects related to fire and police vehicle replacements; and

WHEREAS, the creation of a capital reserve fund to be used for the purchase and replacement of fire and police vehicles is allowable under NCGS §159-18; and

WHEREAS, the Eden City Council deems it in the best interest of the City of Eden and its residents to establish a capital reserve to fund necessary capital improvements; and

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

1. A Capital Reserve Fund is hereby created as allowed under North Carolina General Statutes 159-18 for the purpose of funding capital projects related to the purchase and replacement of Fire and Police vehicles:

Reserve for the purchase and replacement of Fire and Police vehicles. Funds for the anticipated capital improvements as identified in the Capital Improvement Plan for Fire and Police Vehicles are estimated as follows:

- a. Fire truck Replacement \$500,000.00
- b. Police vehicle Replacement \$1,014,100.00

The project will occur in phases, with an expected expenditure completion date of FY 2032-2033 as outlined the City's 10-year CIP. The City expects to allocate the following revenue sources to fund these projects: sales and use tax proceeds.

The June 20, 2023 budget amendment (#13) appropriation from the General Fund to the Capital Reserve Fund is \$300,000, comprised of General Fund Revenues.

2. This Capital Reserve Fund shall remain effective until all the above-listed projects, and my projects added in the future, are completed. The Capital Reserve Fund may be amended by the governing board as needed to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital projects.
3. This Resolution shall become effective and binding upon its adoption.

APPROVED, ADOPTED AND EFFECTIVE this ____ day of June, 2023.

CITY OF EDEN

By: _____

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk



MEMORANDUM

To: Honorable Mayor and City Council
 Thru: Jon Mendenhall, City Manager
 From: Amy P. Winn
 Assistant Director of Finance
 Date: June 20, 2023
 Subject: Budget Amendment # 13

	Account #	From	To	Amount
General Fund Revenues				
Local Options Sales Tax - Art 39	10-3231-31000	\$ 1,354,000.00	\$ 1,480,000.00	\$ 126,000.00
Local Options Sales Tax - Art 40	10-3232-31000	\$ 970,600.00	\$ 1,057,600.00	\$ 87,000.00
Local Options Sales Tax - Art 42	10-3233-31000	\$ 642,000.00	\$ 702,000.00	\$ 60,000.00
Local Options Sales Tax - Art 44	10-3234-31000	\$ 266,400.00	\$ 293,400.00	\$ 27,000.00
				<u>\$ 300,000.00</u>
General Fund Expenditures				
Transfer to GF Capital Reserve Fund	10-9920-76000	\$ -	\$ 300,000.00	<u>\$ 300,000.00</u>
General Fund Capital Reserve Fund Revenues				
GF Capital Reserve Fund Transfer from General Fund	26-3831-10000	\$ -	\$ 1,514,100.00	<u>\$ 1,514,100.00</u>
General Fund Capital Reserve Fund Expenditures				
GF Capital Reserve Fund Transfer to General Fund	26-9920-01000	\$ -	\$ 1,514,100.00	<u>\$ 1,514,100.00</u>

Set up budget ordinance for General Fund Capital Reserve Fund and transfer funds for FY 22-23.

Adopted and effective this 20th day of June, 2023.

Attest:

 Deanna Hunt, City Clerk

 Neville Hall, Mayor

A RESOLUTION OF THE CITY OF EDEN ESTABLISHING A CAPITAL RESERVE FUND
FOR THE WATER-SEWER FUND

WHEREAS, under North Carolina General Statute §159-18 the City of Eden is authorized to establish a capital reserve fund for any purposes for which the City may issue bonds; and

WHEREAS, there is a need in the City of Eden to maintain a working supply of automated water meters to meet service levels and demands;

WHEREAS, there is a need in the City of Eden to provide funds for this future capital project related to automated meter replacements; and

WHEREAS, the creation of a capital reserve fund to be used for the purchase and replacement of automated meter replacement is allowable under NCGS §159-18; and

WHEREAS, the Eden City Council deems it in the best interest of the City of Eden and its residents to establish a capital reserve to fund necessary capital improvements; and

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

1. A Capital Reserve Fund is hereby created as allowed under North Carolina General Statutes §159-18 for the purpose of funding capital projects related to the purchase and replacement of automated meters:

Reserve for the purchase and replacement of automated meters. Funds for the anticipated capital improvements as identified in the Capital Improvement Plan for automated meters are estimated as follows:

- a. Automated Meter Replacement \$2,000,000

The project will occur in phases, with an expected expenditure completion date of FY2032-2033 as outlined the City's 10-year CIP. The City expects to allocate the following revenue sources to fund these projects: water and sewer revenue.

The June 20, 2023 budget amendment (#14) appropriation from the Water and Sewer Fund to the Capital Reserve Fund is \$100,000, comprised of Water and Sewer Fund Revenues.

2. This Capital Reserve Fund shall remain effective until all the above-listed projects, and my projects added in the future, are completed. The Capital Reserve Fund may be amended by the governing board as needed to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital projects.
3. This Resolution shall become effective and binding upon its adoption.

APPROVED, ADOPTED AND EFFECTIVE this ____ day of June, 2023.

CITY OF EDEN

By: _____

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

Mr. Neville Hall, Mayor

Ms. Deanna Hunt, City Clerk



MEMORANDUM

To: Honorable Mayor and City Council
 Thru: Jon Mendenhall, City Manager
 From: Amy P. Winn
 Assistant Director of Finance
 Date: June 20, 2023
 Subject: Budget Amendment # 14

	Account #	From	To	Amount
W/S Fund Revenues				
W/S Sale of Water	30-3362-51200	\$ 4,883,400.00	\$ 4,931,400.00	\$ 48,000.00
W/S Sewer Charges	30-3363-51300	\$ 5,294,700.00	\$ 5,346,700.00	\$ 52,000.00
				<u>\$ 100,000.00</u>
W/S Fund Expenditures				
Transfer to W/S Capital Reserve Fund	30-9920-984000	\$ -	\$ 100,000.00	<u>\$ 100,000.00</u>
W/S Capital Reserve Fund Revenues				
W/S Capital Reserve Fund Transfer from W/S Fund	36-3831-30000	\$ -	\$ 2,000,000.00	<u>\$ 2,000,000.00</u>
W/S Capital Reserve Fund Expenditures				
W/S Capital Reserve Fund Transfer to W/S Fund	36-9920-03000	\$ -	\$ 2,000,000.00	<u>\$ 2,000,000.00</u>

Set up budget ordinance for Water & Sewer Fund Capital Reserve Fund and transfer vfunds for FY 22-23.

Adopted and effective this 20th day of June, 2023.

Attest:

 Deanna Hunt, City Clerk

 Neville Hall, Mayor

CITY OF EDEN – MEMORANDUM

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THRU: JON MENDENHALL, CITY MANAGER

FROM: TERRY SHELTON, SPECIAL PROJECTS MANAGER

DATE: JUNE 14, 2023

SUBJECT: REQUEST FOR APPROVAL OF RESOLUTION TO ACCEPT FINANCIAL OFFER FROM THE DIVISION WATER INFRASTRUCTURE

The Division of Water Infrastructure (DWI) has made an offer to the City of Eden to fund two Wastewater Improvements Projects being Contracts 2B and 5. These two projects are composed of the Junction Pump Station Rehab & the Smith River Replacement and Rehab and the Smith River Siphon Replacement. Due to the rising cost of labor or materials the cost of these two projects had gone above the \$10,172,225 that we had available to complete both projects. We were required to trim costs by negotiating with the contractor and removing some things from these contracts to meet the funding available. The Smith River siphon replacement was removed from contract five due to the high cost of the structure.

In discussions with our engineering firm and DWI we found that they had funding available due to federal programs that were currently in force, they offered us an opportunity to extend the loan/grant we currently had by an additional \$5 million. In April we had come to Council and asked that Council accept the bid for Contract 5 from Yates construction contingent upon the City being able to get the additional \$5 million loan to fund this project. We have been successful in getting an offer from the state for an additional \$5 million, bringing the total loan for these projects to \$15,172,225 to fund these projects as they have been contracted. The money in this loan will be financed for 20 years at 0.10% interest. We also have a grant for \$500,000 that was given in addition to the loan previously.

We are on track to complete these projects as contracted by September 2024.

Please contact me if you have any questions about this recommendation to approve this Resolution.



**Resolution of the Eden City Council
June 20, 2023**

WHEREAS, the City of Eden has received an earmark for the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund established S. L. 2022-74 to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan (ARP) funding in the amount of \$15,172,225 to perform work detailed in the submitted application, and

WHEREAS, the City of Eden intends to construct said project in accordance with the agreed scope of work,

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

That City of Eden does hereby accept the (State Revolving Loan, Grant, or State Bond Loan) offer of \$15,172,225.

That the City of Eden does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the award offer will be adhered to.

That Jon Mendenhall, City Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above and to execute such other documents as may be required by the division of water infrastructure.

Adopted this the 20th day of June 2023 at Eden, North Carolina.

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Eden does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council of the City of Eden duly held on the 20th day of June 2023 and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____ 2023.

Deanna Hunt, City Clerk