

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			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.		
BE IT ORDAINED by the City Council of the City of Eden, North Carolina in regular session assembled:			Code		
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.			Revenue Source		
Summary (Funds)	Estimated Revenues	Total Budget Appropriation	3189-11092	Ad Valorem: Prior Years – Rock Co.	Assessment
General	\$20,195,000	\$20,195,000	3189-18000	Interest on Delinquents	\$13,300
Self Insured Insurance	\$3,308,500	\$3,308,500	3190-11000	Ad Valorem: Current Year	\$5,629,700
Water and Sewer	\$12,421,200	\$12,421,200	3190-12092	DMV-Vehicle Tax – Current Year	\$696,500
Runabout Travel	\$20,000	\$20,000	3190-12093	DMV-Vehicle Tax – Prior Year	\$200
Municipal Service Tax District	\$12,300	\$12,300	3190-12094	Short Term Rental Vehicle Tax	\$3,000
(Less inter-fund transfers)	\$2,700,600	\$2,700,600	3190-12095	Municipal Vehicle Tax	\$194,200
(Less Appropriated Fund Balances)	\$1,660,000	\$1,660,000	3190-15000	Doc License	\$850
(Less Pass Thru Funds – Ex. Runabout Travel)	\$810,100	\$810,100	3190-18000	Interest on Current Taxes	\$16,600
TOTAL	\$30,786,300	\$30,786,300	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	Assessment
			3200-11000	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	Assessment
			3350-00200	Donations & Fees – Pottery Festival	\$4,000
			3350-02100	Reverfest	\$61,000
			3350-02200	Oak & Ales Festival	\$13,500
			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 Disp Rental – Disaster 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	\$20,500
			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	\$3,000
			3984-90000	Transfer from ASFA Fund	\$1,161,700
			3991-99100	Fund Balance Appropriated	\$1,160,000
			Use of Money & Property Total		\$2,925,100

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.

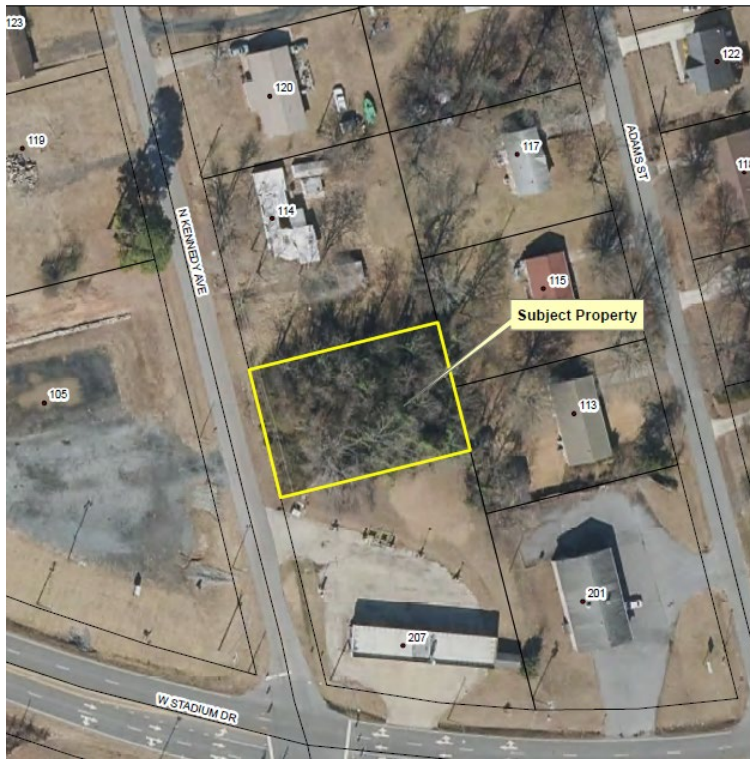
Adopted this the 20th day of June, 2023.

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 employer. 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:

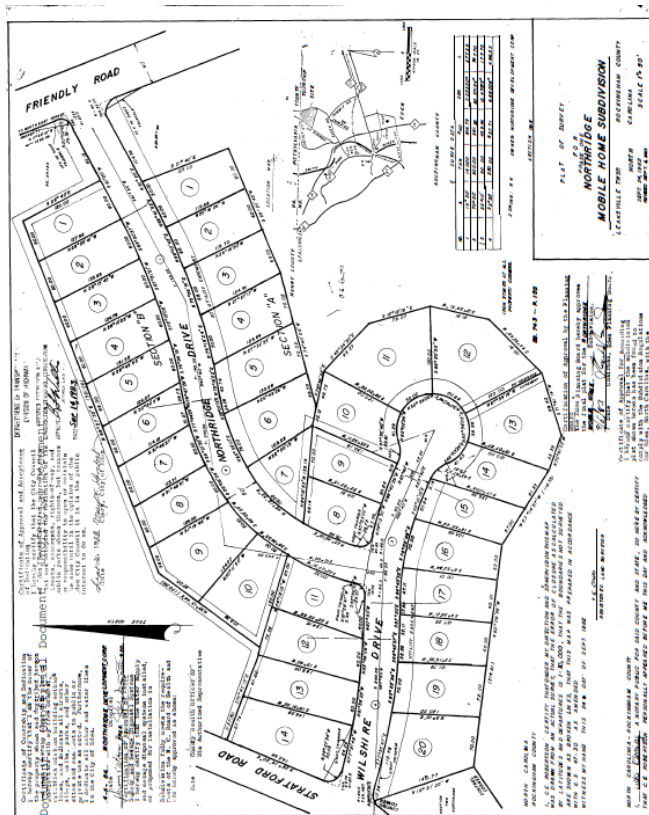
I further find that the area meets the standards for a noncontiguous area as specified in G.S. 160A-58.1(b), in that:

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.
A copy of each deed must be submitted with the petition. A fee of ~~300000~~ \$800 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.

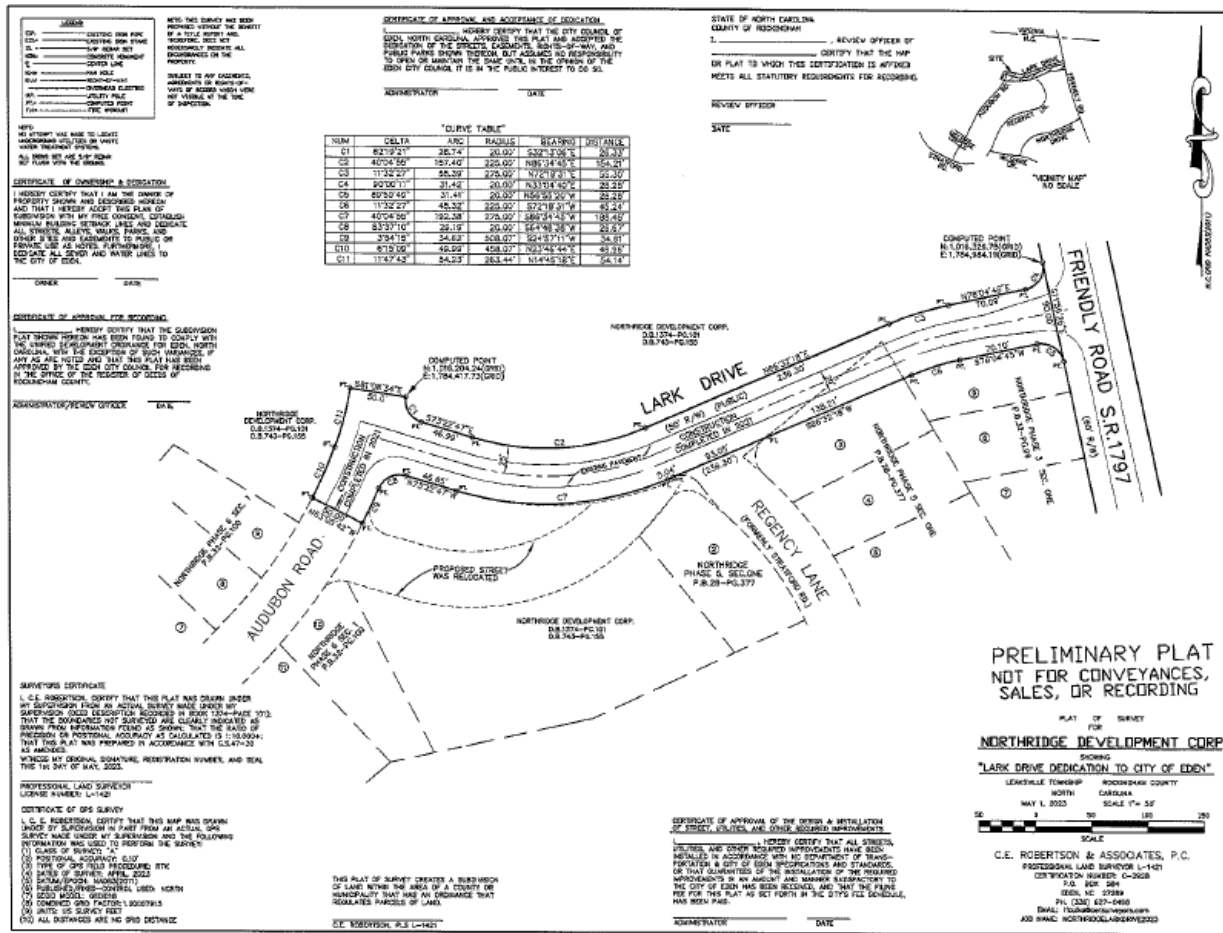
APPROVED, ADOPTED AND EFFECTIVE, this 16th day of May, 2023.

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