

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, October 17, 2023 at 6 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	Neville Hall
Council Members:	Gerald Ellis
	Jerry Epps
	Kenny Kirkman - absent
	Greg Light
	Bernie Moore
	Bruce Nooe
	Tommy Underwood
City Manager:	Jon Mendenhall
City Attorney:	Erin Gilley
City Clerk:	Deanna Hunt
Media:	Mike Moore, Mike Moore Media
	Robin Sawyers, Rockingham Update

MEETING CONVENED:

Mayor Hall called the regular meeting of the Eden City Council to order and welcomed those in attendance, including the media present. Pastor Johnny Cox, Summit Road Church of God, gave an invocation followed by the Pledge of Allegiance led by second-grader Lacey Lemons and third-grader Ryleigh King of Central Elementary School who were the grandchildren of Council Member Ellis. Council Member Ellis joined them at the podium.

RECOGNITIONS:

- a. Recognition: Julie Stanton, Business North Carolina Trailblazer.

Mayor Hall asked Main Street Manager Ken White to come forward with business owner Julie Stanton.

Mr. White said earlier in the year, he received an email from Business North Carolina, a statewide magazine for all business news in North Carolina. The email stood out to him because it requested nominations for 2023 Trailblazers of the Year. Nominees would be someone under age 40 making a difference in their town with a population less than 100,000. He immediately had one person in mind – Julie Stanton. He filled out the application and had to talk with Ms. Stanton when he encountered information he needed. As he was leaving after speaking with her, she thanked him for at least nominating her and he told her she would hear back from it. He had been right. Ms. Stanton was founder and co-owner of Southern Julep with her father. The business was started as a school project. Ms. Stanton transformed the business from festivals and online sales to a small storefront she almost immediately grew out of, to a much larger storefront on Monroe Street in Uptown Eden. Just last week, Ms. Stanton added another component to the business with Sunday Morning Coffee. In 2021, she was named Eden’s Main Street Champion. The best story from the business was that a customer came in to buy a gift for his sister and he left with his soulmate.

Mr. White presented Ms. Stanton with a plaque celebrating her as a 2023 Business North Carolina Trailblazer of the Year.

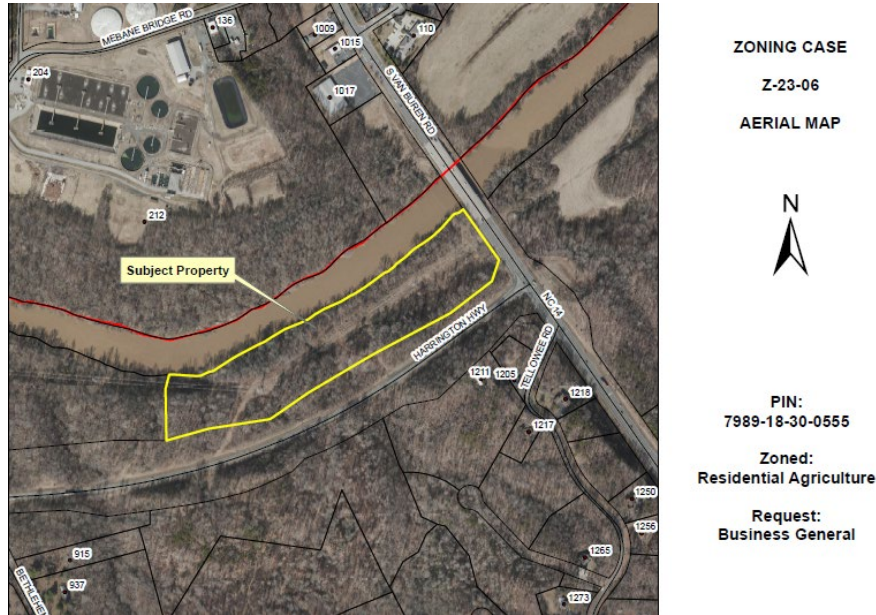
SET MEETING AGENDA:

A motion was made by Council Member Epps to set the meeting agenda. Council Member Moore seconded the motion. All members present voted in favor of the motion. The motion carried 6-0.

PUBLIC HEARINGS:

- a. (1) Consideration of a zoning map amendment request and adoption of an ordinance to rezone approximately 34.44 acres at the intersection of Harrington Highway and N.C. 14 from Residential Agriculture to Business General.
- (2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment.

Planning & Community Development Director Kelly Stultz wrote in a memo: The City has received a zoning map amendment request filed by Galen Shawver, Property Owner, to rezone a parcel of 34.44 acres located at the intersection of NC 14 & Harrington Hwy. The request is to rezone the property, identified as PIN 7989-18-30-0555, from Residential Agriculture to Business General. The Planning and Community Development Department recommends approval of the map amendment request. At a regular meeting in September, 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 subject property was right along the Dan River near the bridge. It was currently zoned Residential Agriculture but had previously been zoned Business General (BG). When it was decided to put BG back in the ordinance, Council asked that everything that was previously BG be designated that again. She missed this parcel. After staff realized that once the application came in, the fee was refunded because the previous rezonings had been done at no cost. Part of the property was in the floodway and part in the flood zone. The topography was fairly steep. The Planning Board discussed the property and the fact that it should have been rezoned to BG some time back. The Planning Board voted unanimously to approve the rezoning and staff recommended in favor of it.

Tommy Fleming said that he owned the property and was in favor of the rezoning. There were two easements off Harrington Highway to the property so the owner had to come back about 200 feet off the property to get to the useable area.

Mayor Hall asked if it made a difference that the property owner did not apply for the application.

City Attorney Erin Gilley said Mr. Fleming was under contract for the property. Being under contract was a property interest that was recognized by the statutes.

As no one else came forward to speak and there were no further questions or discussion, Mayor Hall declared the public hearing closed.

A motion was made by Council Member Ellis to approve the zoning map amendment request and adopt an ordinance to rezone approximately 34.44 acres at the intersection of Harrington Highway and N.C. 14 from Residential Agriculture to

Business General, and to adopt a resolution of a statement of consistency regarding the proposed map amendment. Council Member Underwood seconded the motion. All members present voted in favor of the motion. The motion carried 6-0.

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 Agriculture to Business General the following property:

BEGINNING at an iron 150 feet East of the branch in the North line of grantors with Spray Water Power & Land Company; thence South 13-29 East approximately 800 feet to point in the North line of the property of Richard Forrest; thence with the Forrest Line North 32-45 East approximately 770 feet to a stone; thence with the Forrest Line South 80-15 East 572.22 feet to a stone in the hollow; thence with the Forrest line down the hollow North 17 East 330 feet, and North 1.5 West 363.92 feet to a stone in the West edge of a sawmill road in the former D. W. Harvey line; thence North 10 East 198 feet, and North 16.5 East 248.82 feet to the forks of the branches; thence down Leatherwood Branch to Dan River; thence up Dan River South 68.5 West 753.72 feet to a horn beam on the branch of the river; thence continuing up the river North 80 West 112 feet to the North of a drain marking the corner with the Spray Water Power and Land Company; thence leaving the river up a drain with the East line of the Spray Water Power and Land Company tract South 21 West 87 feet; South 2-19 East 283 feet; and South 23-85 West 146 feet to poplar at the end of the drain; thence continuing South 0-16 West 311 feet to an iron; thence South 75-23 West approximately 300 feet to the point of beginning.

The above-described property being more commonly identified by the Rockingham County Tax Dept. as PIN 7989-18-30-0555 and Parcel Number 141310.

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

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

CITY OF EDEN

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

A RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING
A PROPOSED AMENDMENT TO THE CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE
CASE NUMBER Z-23-06 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 a parcel of 34.44 acres located at the intersection of NC 14 & Harrington Hwy from Residential Agriculture (RA) to Business General (BG).

WHEREAS, On September 26, 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 rezoning of subject property back to the BG District (as before the UDO updates in 2021), which consists of more suitable zoning dimensional standards for this particular property, would enable the property to be utilized for commercial uses that would benefit the City of Eden in future development and growth. The BG 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 17th day of October, 2023.

CITY OF EDEN

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

- b. Consideration to approve an application for the CDBG-NR Program.

Grants Administrator Chase Lemons wrote in a memo: The City of Eden, like other non-entitlement cities in North Carolina, competes for funding through the Community Development Block Grant Program. This funding can be used for housing rehabilitation, clearance, relocation, infrastructure improvements and recreational improvements, water and sewer projects and economic development projects. All of these various kinds of projects are designed to offer assistance to low- and moderate-income residents of our community. As the time for application approaches, we are required to hold a public hearing. This is a requirement of the North Carolina Department of Commerce. By including all of the various types of projects, we hope to position our community to gain the most funding possible where it is needed the most. If you have any questions, please do not hesitate to contact me.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said the City was finishing up the Draper CDBG-NR (Community Development Block Grant – Neighborhood Revitalization) with the exception of the Fire Station repairs. The City was eligible to make an application for another neighborhood. She and Mr. Lemons had decided to present an application for Leaksville, which was an area that had never been done. They had chosen the Five Forks area, and were working with Insight, the consulting firm they had success with. Staff needed Council's approval to make the application. A second public hearing would be held the following month.

As no one came forward to speak and there were no further questions or discussion, Mayor Hall declared the public hearing closed.

A motion was made by Council Member Underwood to approve an application for the CDBG-NR Program. Council Member Moore seconded the motion. All members present voted in favor of the motion. The motion carried 6-0.

REQUESTS AND PETITIONS OF CITIZENS:

There were none at this time.

UNFINISHED BUSINESS:

- a. Consideration of appointments to Boards and Commissions.

Ms. Stultz wrote in a memo:

The following seats on the City Boards and Commissions are up for appointment or reappointment in 2023. When making appointments, please consider whether these persons have the time or the ability (for whatever reason) to attend regular meetings and participate in the activities of the board or commission. If you have questions, please do not hesitate to call.

Ward 1 Councilman Moore: Community Appearance – Susan Cunningham (Resigned); Tree Board – Leslie Wyatt (Newly Appointed, Term Expired, Re-Appoint in December)

Ward 2 Councilman Nooe: Community Appearance – Martha Corum (Resigned); Planning Board – Gwen Taylor (Term Expired); Tree Board – Mike Ayers (Term Expired)

Ward 3 Councilman Kirkman: Historic Preservation – Beth Pulliam (Term Expired); Tree Board – Jim Ivie (Term Expired)

Ward 4 Councilman Epps: Historic Preservation – Louise Price (Term Expired); Planning Board – Fred Ramsey (Term Expired)

Ward 5 Councilman Underwood: None to report

Ward 6 Councilman Light: Community Appearance – Kendra Grill (Term Expired)

Ward 7 Councilman Ellis: None to report

Mayor Hall: None to report

ETJ (Must be appointed by City Council and approved by County Commissioners): Planning Board – Steve Morgan (Term Expired)

Mayor Hall called on Ms. Stultz.

Ms. Stultz said some members had already made appointments for boards in 2024 as staff brought it in the fall to give Council time to gather names. She noted Council Member Moore’s Tree Board appointee, Leslie Wyatt, was newly appointed but would need to be reappointed for 2024.

Council Member Moore nominated Avery Moore, 525 College Street, for the Community Appearance Commission.

Council Member Nooe nominated Gwen Taylor for the Planning Board and Mike Ayers for the Tree Board. He did not yet have a nominee for the Community Appearance Commission.

Council Member Epps said he had been sick and not had time to speak with Fred Ramsey about continuing to serve.

Council Member Light nominated Kendra Grill for the Community Appearance Commission.

Mayor Hall asked Ms. Stultz if Ms. Wyatt needed to be appointed now or in December.

Ms. Stultz replied in December. She was listed on the memo so they would all remember.

A motion was made by Council Member Ellis to appoint Ms. Moore and Ms. Grill to the Community Appearance Commission, Ms. Taylor to the Planning Board and Mr. Ayers to the Tree Board. Council Member Nooe seconded the motion. All members present voted in favor of the motion. The motion carried 6-0.

NEW BUSINESS:

- a. Consideration to adopt a resolution of intent to close an unopened section of Burr Lane off of Jackson Street.

Ms. Stultz wrote in a memo: The City has received a request from Jeff Reynolds to close an unopened section of Burr Lane off of Jackson Street. Attached you will find the petition, Resolution of Intent to Close an Unopened Section of Burr Lane off of Jackson Street, 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.



Mayor Hall called on Ms. Stultz.

Ms. Stultz said the property was a section of Burr Lane that was never opened or maintained by the public. All the property owners who would need it for access agreed that they wanted it closed. Staff asked that Council adopt a resolution of intent and call a public hearing for November.

A motion was made by Council Member Epps to adopt a resolution of intent to close an unopened section of Burr Lane off of Jackson Street. Council Member Light seconded the motion. All members present voted in favor the motion. The motion carried 6-0.

RESOLUTION OF INTENT TO CLOSE AN UNOPENED SECTION OF BURR LANE

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 all of that 30 foot right of way known as an unopened portion of Burr Lane and shown on a plat of survey for Irvin River Hts. – S.E. Section, surveyed by W. B. Trogdon, C.E. for Spray Water Power & Land Co. and supplemental Surveys by W. T. Combs recorded in Map Book 7, page 119 in the Office of the Register of Deeds for Rockingham County, N.C.; the right of way being south of Lots 2, 4, 6, 8, 10 and 12, Section 1 and north of Lots 33 and 34, Section 2 as shown on aforementioned plat; said 30 foot right of way also being shown on the attached sketch.

BE IT FURTHER RESOLVED that the City Council does hereby call for a public hearing on the said closing to be held on the 21st day of November, 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 17th day of October, 2023.

CITY OF EDEN

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 advised he would be happy to answer questions.

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

CITY MANAGER'S REPORT
OCTOBER 2023

ADMINISTRATION DEPARTMENT

Marketing & Communications Office

We would once again like to thank everyone who made our RiverFest 2023 such a huge success! We had over 20,000 in attendance. We are already working toward 2024. See you next year!

MARK YOUR CALENDARS now for WINTERFEST! Our date is set for Friday, December 1 in Grogan Park from 5:30 p.m. until 8 p.m. This is going to be so much fun for little kids and BIG kids alike. The night will include an outdoor movie, games and inflatables, Brunswick stew and other treats, smore's bar, hot cocoa bar, tree lighting, characters, cool decorations and more. Don't miss it!

We are having such a beautiful FALL! Get outside and enjoy one of our beautiful rivers, trails or parks. Wherever you are in The Great Trails State and no matter how you choose to get out on a trail, be sure to follow Outdoor NC's Leave No Trace Principles – preserving the beauty of trails and minimizing impacts keeps things great for generations to come.

PARKS & RECREATION DEPARTMENT

Recreation Division

Bridge Street Recreation Center: The recreation center has been busy with daily walkers and fitness classes. We have transferred over to the after-school program with 35 students participating.

Mill Avenue Recreation: Pickleball is being played every Monday, Wednesday, Friday and Sunday afternoons. We are having open gym during the week for citizens that work can come play basketball. Volleyball is being played Tuesdays and Thursdays. Basketball season for the Prowlers is starting in November.

Mill Avenue Pool and Freedom Park Splash Pad: The pool and splash pad have closed for the season.

Freedom Park: Adult and girls fast pitch softball tournaments were still being held on the weekends. Holmes Middle School are also playing softball games at Freedom Park. The park is also very busy with Prowlers cheer and football.

Senior Center: Our seniors have been staying busy with all the programs that are provided. They are still planning a winter trip to Charleston later in the year.

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

Local Codes and Inspections

We are still receiving nuisance complaints either by phone or through our SeeClickFix App available to all citizens. 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 September 1– September 30, 2023

Total Local Code Inspections Performed 23

Local Code Notices Sent 20

Local Codes Abated 09

Inspection volume is steady. There were 210 inspections completed in the month of September. There was a total of 4 building permits issued for new single-family residences. The Carolina QuickCare project has started. The projected completion date is unknown at this time.

Boards & Commissions

The Board of Adjustment met for the month of September to review variance case V-23-02. The board approved the request of a variance to allow the construction of an accessory structure in front of the front building line of the principal structure due to the topography of the subject property located at 1740 Price Road (Zoned Residential Agriculture). Application submitted by Sara Saxer, owner of subject property.

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

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

The Tree Board met for the month of September and discussed future projects.

The Planning Board met for the month of September to review Zoning Case Z-23-06 and street closing case SC-23-02. The Planning Board approved the map amendment request to rezone 34.44 acres located at the intersection of NC 14 and Harrington Highway from residential agriculture to business general due to an oversight during the UDO updates in 2021. Application submitted by Galen Shawver, owner of subject property. The Planning Board approved the street closing request of an unopened section of Burr Lane off of Jackson street. Petition submitted by Jeff Reynolds, adjoining property owner of subject closing.

Gus Shinn Mural Project

Staff coordinated with City staff, the artists, and other entities involved with the mural project and held a ribbon cutting for the Gus Shinn mural project on September 7 at 11 a.m. on site at Ramsey's Barber Shop located at 536 Morgan Road. The reception and response exceeded staff's expectations.

POLICE DEPARTMENT

The testing of GLOCK pistols has been completed. We have placed an order for 48ea GLOCK Model 45 for uniformed officers and 17ea GLOCK Model 19 for plain clothed officers. We have received an expected ship date of November 2, 2023. We plan to transition to these firearms during our November/December yearly qualifications.

We ordered and received six 2023 Dodge Durango's. One Durango, assigned to administration, has been upfitted and is now in service. One is currently being upfitted and the remaining four are staged at the city shop.

ALPR (AXON) has been turned on and is currently in operation. We had a successful Felony apprehension on the first day we implemented our "Hot List" and continue to see an overwhelming success rate with the utilization of our ALPR system.

We anticipate the AXON Interview Room upgrade to be completed in October.

Jerry Hacker was sworn in on September 6, 2023. Jerry comes to us from Reidsville Police Department with twenty years of experience.

Our three, full-time trainees in the RCC BLET Program are progressing well. All three have passed their POPATs and have passed every block of instruction to date.

FIRE DEPARTMENT

The Fire Department has received the new Scott air packs and they have been put in service. The two new trucks have been kitted out; the third truck (from Public Works) is in progress of being kitted out. All fire hydrants have been checked and tested per the annual fire hydrant maintenance/testing plan. The emergency siren relocation and upfit at Station #1 is progressing, the department is awaiting the contractor to mobilize on-site to complete the installation of this work.

PUBLIC WORKS DEPARTMENT

With the help of Design & Construction and RFQ was released and a response received to replace the equipment shed at Public Works that was damaged by straight-line winds approximately 1 year ago. Cirrus Construction was selected to do this work and negotiations have commenced on contracting for the design/build of this structure. A majority of the costs will be borne by insurance proceeds from the damaged structure which was torn down. It is estimated that a new structure will be ready by summer 2024. This will align with the decommissioning of the existing fuel facility and will allow the equipment shed to be moved so that the threat of straight-line winds moving forward is mitigated (the previous shed was damaged on two different occasions in the past). With the decommissioning of the current fuel facility, the awnings are planned to be repurposed to bring under shelter all plastic water/sewer pipe.

Streets

The Street Division is continuing their work on Monroe Street and are approximately 80% complete, in order to accommodate retail foot traffic work has occurred on weekends and early mornings so as not to negatively impact local business activity. Roadside vegetation maintenance is continuing and leaf season will be gearing up in another month. This division has balanced their projects and ongoing operations/maintenance activities with the installation of the new fuel system.

Construction

Construction crew has completed drainage work on Maryland Avenue and will be working on upgrading a waterline on Circle Drive followed by drainage improvements in the area of the Dog Park at Freedom Park. This crew has also assisted in the installation of the new fuel system.

Collections & Distribution

The Collections and Distribution Division continues to work on ongoing maintenance and repair, cutting the sewer outfalls and cleaning the sewer lines.

Solid Waste

Solid Waste Division continues their ongoing operations activities, they have received delivery of the new road tractor, and the new knuckle boom has been delayed again by approximately one month.

Fleet

Fleet Division has been very busy, making all the capital procurement items as needed and receiving many of the ordered assets in the first 90 days of the fiscal year. This represents a tremendous effort combing the talents of Fleet and the other departments/divisions and was especially important this year due to rolling stock supply change issues associated with industrial actions.

Utilities

Utilities are working on the north basin project, the re-design of a sewer collection main to serve Purina, and on-going efforts at modernization improvements at both the water and wastewater plant. The clarifier rehab is substantially complete, the sludge scraper is in process of being painted, and the VFD upgrades to the water plant have been ordered.

b. Legislative Grants in Aid 2023.

Mr. Mendenhall wrote in a memo: As part of the recently adopted North Carolina State budget, the City of Eden was awarded \$7,000,000 for water-sewer improvements and \$1,000,000 for recreation improvements (restricted to Freedom Park). I would like to take this opportunity to thank both Senator Phil Berger and Representative Reece Pyrtle for their help in securing these funds.

The following represents the spending plan for the water-sewer funds, and serves as an update to the EPA AOC.

City of Eden
 Remediation Plan Remaining Projects
 Revised Estimates 10/2023
 Prepared by Anita Robertson, PE

Contract Number	Project	10%			CA/CO	Total
		Construction	Contingency	Engineering		
1	I&I Reduction	\$ 500,000	\$ 50,000	\$ 28,000	\$ 28,000	\$ 606,000
3	Bridge Street Rehab Base Bid	\$ 5,500,000	\$ 550,000	\$ 165,000	\$ 303,000	\$ 6,518,000
3	Bridge Street Rehab Additives	\$ 8,864,000	\$ 887,000	\$ 266,000	\$ 488,000	\$ 10,505,000
4	Glovenia Relocation	\$ 5,384,000	\$ 539,000	\$ 270,000	\$ 297,000	\$ 6,490,000
5A	Junction Basin Rehab	\$ 1,803,000	\$ 181,000	\$ 55,000	\$ 100,000	\$ 2,139,000
5B	Smith River Rehab and Siphon	\$ 4,300,000	\$ 430,000	\$ 129,000	\$ 237,000	\$ 5,096,000
7	Dry Creek Rehab	\$ 1,600,000	\$ 160,000	\$ 48,000	\$ 88,000	\$ 1,896,000
Total		\$ 27,951,000	\$ 2,797,000	\$ 961,000	\$ 1,541,000	\$ 33,250,000

1. The legislature was asked for funding to address an immediate non-EPA need associated with Kings Highway, staff estimates this cost at \$2,000,000.
2. The legislature was asked for funding to address EPA AOC compliance primarily associated with the siphon project for the balance of the \$5,000,000.
 - a. City staff have identified a FEMA BRIC grant for the siphon work and tying in other environmental enhancements in the vicinity, accordingly a NOI has been submitted to use FEMA BRIC funds for this purpose (which so far appears promising).
 - b. Should the FEMA BRIC funds come through the remaining \$5,000,000 from the legislature will be diverted to Contract #3 base bid.
 - c. By way of summary, the following represents the remainder of the work:
 - i. Contract #1 – City to request EPA for self-performance (City forces)
 - ii. Contract #3 – see above
 - iii. Contract #3 (additives) – engineering firm will be requested to break these into smaller projects that can be funded post-2024 and additional value engineering will also be requested.
 - iv. Contract #4 – EPA has consented to this being done after 2024.
 - v. Contract 5A – a follow-up legislative request will be made for 2024
 - vi. Smith River Rehab and Siphon – FEMA BRIC
 - vii. Dry Creek Rehab – a follow-up legislative request will be made for 2024
3. City staff intends to meet with the EPA and discuss the remaining year under the AOC and next steps to close-out this work. The intent of this meeting is to make a formalized request to end the AOC, devolve to State DEQ monitoring for a period of 5 years to complete any remaining work and to regularly report compliance to State DEQ (this will be known as the compliance monitoring period).

The following represents the spending plan for Freedom Park Improvements.

Statement of Need: Freedom Park is 25 years old, serves recreational needs as a regional park for residents throughout Rockingham County. Owned and operated by the City of Eden, the park is in need of improvements designed primarily around a need to address capacity/space challenges with high volume athletic programs and demands for service expansion for key programs.

Athletic Facility Expansion

1. In order to accommodate baseball/softball needs:
 - a. Convert Baseball Field #2 into 2, 200ft fields and 2, 100ft fields to meet the growing demand for youth sports 12U and under. This will result in a 6 field Liberty Fields baseball/softball complex. Estimated cost \$200,000
 - b. Renovate the playing surfaces of all fields. Estimated cost \$50,000
 - c. Add additional batting cages. Estimated cost \$10,000
2. In order to accommodate football and possibly soccer needs:
 - a. Add lights to the multi-purpose field. Estimated cost \$250,000
3. In order to accommodate a new sport, pickleball:
 - a. Add four lighted pickleball courts. Estimated cost \$220,000

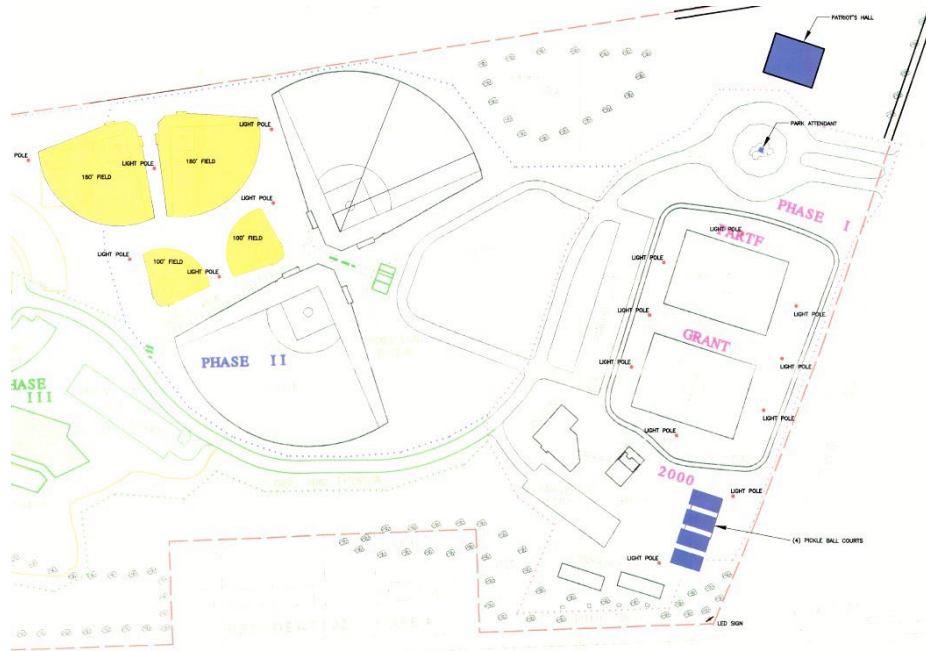
Community Facility Expansion

1. In order to accommodate the needs of additional community facilities:
 - a. Add Patriot’s Hall at the entrance to Freedom Park which would accommodate all season use as: banquet hall, picnic-shelter, program site (cornhole, exercise classes, etc). Estimated cost: \$225,000

Safety, Communication, Logistics

1. In order to address safety concerns:
 - a. Move the former putt-putt building to the park entrance to be used as a continuously monitored park office. Estimated cost: \$10,000
2. In order to address communications concerns:
 - a. Add an LED sign at the corner of Stadium and Edgewood for better communications with the public. Estimated cost: \$15,000
3. In order to address the crowd size and entrance gates in the Liberty Fields complex:
 - a. Make gate and entrance improvements. Estimated cost: \$10,000
4. In order to increase data/communication ability, install park internet (for POS terminals, security cameras, etc.). Estimated cost: \$10,000

Please see the below schematic that depicts the larger items in this spending plan.



Mayor Hall called on Mr. Mendenhall.

Mr. Mendenhall said as part of the recently adopted N.C. state budget, the City was awarded \$7 million for water and sewer improvements and \$1 million for recreation improvements with those funds restricted to Freedom Park. He wanted to bring the item before Council to do two things: to let them know the City had received the money and to also thank Senator Phil Berger and Representative Reece Pyrtle for all their help in securing the funds. Without their help the funds would not have been possible. He wanted to take the opportunity to thank them. There were a couple of things in the packet they needed to look at and discuss to do everything they could to update where they were on the EPA Administrative Order and also talk a little bit about Freedom Park. There was a spending plan set forth for the water and sewer funds. As it stood currently, the estimated EPA costs based on an October 2023 estimate from Anita Robertson with the City's engineering firm was itemized out. They could see that itemization running from Contracts 1 to 7. There was a moving complex EPA situation and it had been for some time. In 2003, the estimated cost of the sewer master plan was about \$99 million to complete. Three or four years before the price to complete had dropped to about \$15 million. Every bid they had received and every bid they had returned had been successively higher. The total estimated outstanding was \$33 million. Realizing they had the EPA Administrative Order deadline of 2024 and keeping in mind that some of the projects were not mandated to be complete by 2024, there was a strategy set forth and laid out they wanted to talk about to get some feedback on. The first thing was there was a non-EPA situation that could turn into an EPA situation. That was the degradation of the collection sanitary sewer main underneath Kings Highway. They went to the General Assembly to try and achieve funds to address that to the tune of \$2 million. That could be seen in Item 1. Under Item 2, they asked for the balance of \$7 million, \$5 million in total to be applied to what they then thought was the remaining \$15 million and then they would apply for some BRIC money. They identified some additional grant funds out there available. BRIC, Building Back Resilient Infrastructure, was a FEMA leverage grant and it was replacement of the old PDM, Pre-Disaster Mitigation grant. He went to a seminar the week before

on it and it seemed very promising. He thought the state total was 170 and it was pared down to 130. The City was still in the short list somewhere. There was what they called a notice of intent to process. The City had issued a very strong notice of intent and would know where that was working through the Planning & Community Development Department very soon. Should the City receive the BRIC funds, they would be applied to the Smith River rehab and siphon, which was Contract 5b. The remaining \$5 million would go to the base bid of Contract 3. By way of summary, the following would be left outstanding: Contract 1 was using City force account labor and supplies to flow monitor the I&I reduction. The City was tracking that. The state had a very nice tracking tool that anyone could go to and see the City's I&I-related sanitary sewer overflows decrease over time. Contract 3 would also be done with the \$5 million received in the legislative grant of aid. Contract 3, the additives, which had to be pulled because there was not enough funding at the time, totaled \$10,500,000. They would ask the engineering firm to break those smaller projects up into smaller bits and self-perform that work in the function of time as they moved forward into smaller, more manageable bits. The EPA had consented that Contract 4 could be done after 2024 so the City would have the ability to do that in a compliance monitoring period. They would anticipate going forward to legislature in the short session, meaning the upcoming year to make a request in 2024 for Contract 5a. They would also do that for Contract 7 – Dry Creek. Regarding the Smith River rehab and siphon, if the City were successful, they would apply and put the BRIC money received on the siphon. It was a roadmap that would get to 2024 in compliance with the EPA. The City would spend all the funds it had in an attempt to not have to go back and get a loan to do anything. That would take them to what came next after the EPA. He did not think there would be a door that would shut for them, it would slowly close. The EPA may turn the City loose, and give them to the state Department of Environmental Quality. That would be a compliance period they hoped would last about five years and could be as much as 10. The City would ask the EPA for that. During the compliance monitoring, the City would be on the hook for reporting any SSOs to show the ask that had been made in each budget and what had been done for maintenance, the feet of line that had been cleaned and cleared and that sort of thing. That period of compliance monitoring that went on after December 2024 was to do a couple of things, to ensure that SSOs did not increase again and to make sure the City was continuing to invest in the system and did not stop that level of operations, maintenance and investments. They wanted to make sure the City was doing what it was supposed to be doing. At that point, the City would go back to what they felt like was a normal environment, outside the EPA order, outside a compliance monitoring period. It would be approximately in the year 2029-2030 if all went to plan, operating like any normal municipal wastewater system. That was the plan. That was how the City planned to get there without trying to overburden the rate payer with any more debt. That was an important argument they needed to make with the EPA moving forward that if they overburdened Eden's operating system with too much debt, there would be no funds for the capital and maintenance required moving forward because it would always require investment. Everyone needed to understand that. It would always require capital investment. There would never be a time they could quit maintaining the sewer system or the water system. Every day they moved forward in time, the system got worse. They would always have to maintain something. If they did not address the degradation over time, they would be back in the same situation they found themselves in with the EPA. He wanted to pause to see if there were any questions or clarity needed. There were a lot of moving parts and a lot of money.

Council Member Underwood asked if it was possible in the near future that water rates could be lowered some.

Mr. Mendenhall said no, as a matter of fact he thought the rates would have to be raised.

Council Member Ellis asked how much money the City had paid the EPA.

Mr. Mendenhall thought that was a good question and he thought it was about \$33 to \$35 million. The money was not paid to the EPA but to the contractors. The EPA mandated all the work but did not give the City a checkbook to pay for it. Either the customer or ratepayer had to pay, or the City went out and sought grants and loans. The City was about loaned out as far as it could go because of the debt service situation. That was one reason the rates would have to go up, to pay for the debt service on all the loans. That was one other reason the City needed to leverage all the grants it could. Up until Covid, the City was getting water and sewer grants that were fairly good. Since that time, the amount of money from the federal government passed to the states had been very advantageous and a lot of money was available. It was a double-edged sword. There was a lot of money available but it had pushed the cost of doing business way up. Inflation on labor, equipment and materials cost twice as much. It was almost a wash of where they were.

Council Member Ellis asked how the SSOs had been in the past 36 to 48 months.

Mr. Mendenhall said it had been good. They had dropped from 15 to 16 down to three or four. They would never have a zero environment. The most recent one that came to mind was on Country Club Drive where some rags were in the sewer after being flushed. There was no way to stop that so the City responded and cleaned it up. It was not an I&I situation where there was water coming into the system but was abuse in the system. He believed the four they had in the last six months had all been from abuse-type related, things clogging the system.

Council Member Epps asked what percentage Mr. Mendenhall thought the water and sewer rates would increase.

Mr. Mendenhall said that was a good question. They would have two headwinds to look at. One was the debt service which was a pretty steady number. The other was the anticipated Duke Energy increase. The increase on the electric would have a direct increase on the operating margin of the water and sewer plants as they were very energy intensive. There was talk of an increase by Duke Energy of 18 percent. That was a very high water and sewer rate increase and he would not foresee it being that high. The City was going to have to figure out how to produce water and treat the wastewater and pay that electric bill. Until they knew what Duke's rates settled at, it would be hard to say what the City's increase would be. He would not anticipate a small rate increase, meaning one or two percent. It would be somewhere north of two percent, south of 15. Obviously, the City wanted to go as low as it could and did not want to take any more money from the taxpayers or ratepayers than they had to, but they also wanted to make sure they had a clean river and a clean drinking water system.

Council Member Moore said it was mind boggling how much money the City had to spend but it was something they had to do. If a group had done it maybe 30 years prior, the City might not be in the position it was currently in. If they did not do something and keep doing it and maintaining it, their children, grandchildren and great grandchildren would be in even a worse situation with prices and inflation. As much as they hated to do it, it was one of those things they had to do.

Mr. Mendenhall agreed.

Council Member Ellis asked for more information about the BRIC funds.

Mr. Mendenhall explained BRIC was one of the build back better programs from the federal government. Before it was BRIC, it was Pre-Disaster Mitigation. It used funds to alleviate problems, particularly flooding and disaster-related problems. BRIC was designed to not only deal with emergency management type problems, it was to deal with environmental problems. The siphon going underneath the Smith River was an excellent BRIC application, meaning the siphon underneath Kings Highway carried all the flow from the west side of the Smith to the east side to Mebane Bridge. If it failed, it would be almost like a trestle except it was all underneath the river. It would be a serious environmental problem. It was all original work. It was in the protected area Rockingham Community College owned. It was something that checked a lot of boxes on the BRIC application. The City was hopeful it would fund some of the work.

Council Member Ellis asked about the work that would be done.

Mr. Mendenhall said it would be contracted like all the other work that had been done. He moved to Freedom Park improvements which was midway on page two of the memo. He noted Freedom Park was 25 years old. It served recreational needs as a regional park. Pulling traffic data they had showed visitors far north into Virginia, far south into the middle part of North Carolina and into the Triangle. It was truly a regional park. It was owned and operated by the City and needed some improvements designed primarily around a need to address capacity and space challenges. The City's athletic programs had come back with very good numbers and they were very pleased. It was a positive thing. There were some demands for service expansion for key programs. He wanted to provide an idea of what they were thinking about and how it was pitched to the people in Raleigh for funding. Knowing they had athletic facilities that were 25 years old, athletic facility expansion was the first rule of business with three aspects. In order to accommodate baseball/softball needs, the plan was to convert Baseball Field #2 into two, 200-foot fields and two, 100-foot fields. The City's service area was primarily 12U and under so it would help serve them but would also preserve capacity for the adults. Instead of having three fields of play, there would be six. The playing surfaces would be renovated by removing the brick dust and making it like a clay environment, upping the level of play, as well as doing some things to improve the grass quality on the outfields. Batting cages would be added as well. Lights would be added to the multipurpose field to accommodate primarily the Prowlers football program, but possibly soccer as well. That would be installing lights to light the field. Currently now when it started getting darker, the Prowlers moved to the baseball complex and used those lights where they played in the outfield. It worked, but it was not real good for the baseball facility. It would enable soccer, which they were not trying to do currently.

They wanted to do really well with the programs they had without expanding too quick. The third item was an expansion which was to add four dedicated, lighted pickleball courts. Pickleball was an up-and-coming sport.

Mayor Hall wanted to point out that lighting the multi-purpose field would light the walking track which was something people had wanted for a long time.

Council Member Ellis thought it was great to be able to get the funds from the state which were facilitated by Senator Berger and Representative Pyrtle. Recreation programs which had been declining were now inclining. The youth programs were moving in a positive direction. He was glad the fields were being reworked to accommodate the youth programs and that the fencing would not have to be moved. The facility would be extremely nice after this work was done. It would be a big plus. He asked if a 100-yard field would be put out for the youth games or if the field would just be lighted.

Mr. Mendenhall said staff had talked about a play facility for the Saturday ballgames and not just for practice. There were some competing ideas. It would be good and positive to have that there, but there was another idea that was attractive to him and that was the Prowlers would eventually be Morehead High School players. They were trying to encourage the players to have a lifelong commitment to an active lifestyle and to sports and athletics because there were a lot of positives to those. By having them go and play at Morehead and have that experience, they were modeling that experience for them as they grew up. That was something he thought was very positive experience that not every youth got to do. As a youth player, they were able to see and feel that on that field. That could be the player's goal as they got to high school. The City wanted to model that for them. It was compelling. It was something positive for them.

Council Member Ellis said he thought it was outstanding, naming of Liberty Fields. It was a positive for the City.

Mr. Mendenhall said under Community Facility Expansion, a community facility called Patriot's Hall would be added. It would be an all-seasons type picnic shelter for banquets, picnic shelters, program sites for the expanding cornhole program the adults were playing in, exercise classes and the like. Under Safety, Communications, Logistics, the former putt putt building with the red roof on it would be moved to the park entrance and they would try to staff that with some part timers so there was a little bit better security in the park and people felt more comfortable. The park was a perfectly safe place to be but sometimes there was a perception that there was not an employee there at the gate. They wanted to correct that impression moving forward. There would be a lot more people using the park so it was important they be greeted in a manner so they realized it was a supervised space, it was not unsupervised if that made sense. Staff would add some communication to the park, one being a LED sign at the corner of Stadium and Edgewood. There would also be some gate and entrance improvements to the ballfield complex as well as doing some data upgrades, primarily to support moving away from a cash handling environment to point-of-sale terminals. The new thing was an i-pad with a swipe so a card could be swiped to pay so they would not have to have all the cash handling and other avenues to pay. They would also add additional security cameras.

Council Member Ellis asked in regards to 1(a) converting of the baseball field if there would be anymore parking around the entrance to the four new fields.

Mr. Mendenhall said not at the present. Staff felt the parking at the amphitheater was rarely used at the same time as play going on at the fields. There were sidewalks there that could be used to get to the field facilities. Staff felt there was ample parking because a lot of the activities did not occur at the same time. They occurred sporadically throughout the day or week.

Council Member Ellis noted there was also parking available at the water tower.

Mr. Mendenhall agreed.

Council Member Underwood asked if the City was able to come close to hiring a park ranger.

Mr. Mendenhall said the positions were budgeted but there had been no applicants. He thought the Police Department was continuing to work on that going forward. Staff would like to see some on the greenways as well as Council Member Underwood had pointed out in the past. He thought it was important to do that. If Council knew of anyone, they were encouraged to apply.

Mayor Hall said the funds that came from the state were not easy to get. A lot of work went into getting the funds. He, Mr. Mendenhall and Prowlers Director Ben Curtis traveled to Raleigh and met with Senator Berger and other senators, as well as members of the House of Representatives and pled the City’s case for the grants. There were long negotiations and staff was not sure what could be done for the City. He, Mr. Curtis, Council Member Light and former Assistant City Manager Clint Simpson went back toward the end of the session to share how important the projects were. Mayor Hall was optimistic about the \$7 million for the water and sewer because it was a big concentration of federal on down to local. Mr. Curtis had stayed on the Freedom Park issue and Mayor Hall could not wait to see the project come together. He thanked everyone who worked on it, especially Senator Berger and Representative Pyrtle for going to bat for the City.

Council Member Underwood wanted to thank them all as well.

CONSENT AGENDA:

- a. Approval and adoption of the September 19, 2023 regular Council meeting minutes.
- b. Approval and adoption of Budget Amendment #3.

Assistant Finance Director Amy Winn wrote in a memo: The attached budget amendment appropriates fund balance for insurance proceeds that were received in FY 22-23 for the Spray Cotton Mill fire. This covers the purchase of fire hose that was damaged in the fire.

Subject:	Budget Amendment # 3			
	Account #	From	To	Amount
<hr/>				
General Fund				
Revenues				
GF Fund Balance Appropriated	10-3991-99100	\$ 1,160,000.00	\$ 1,173,500.00	<u>\$ 13,500.00</u>
General Fund				
Expenditures				
Fire Safety Equipment	10-4340-21300	\$ 7,500.00	\$ 21,000.00	<u>\$ 13,500.00</u>

Appropriates insurance proceeds received in FY 22-23 to replace fire hose.

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

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

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

Ms. Winn wrote in a memo: The attached budget amendment appropriates remaining funds received from the NC Office of State Budget & Management in fiscal year 2022-2023 for the purchase of the new fuel system at Public Works.

Subject:		Budget Amendment # 4			
	Account #	From	To	Amount	
General Fund Revenues					
State Grant	10-3412-42000	\$ 360,000.00	\$ 627,800.00	<u>\$ 267,800.00</u>	
General Fund Expenditures					
Fleet Maint C/O Equipment - Depr	10-6920-57000	\$ -	\$ 267,800.00	<u>\$ 267,800.00</u>	

Appropriates State grant funds received for the fuel tank system.

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

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

A motion was made by Council Member Ellis to approve the consent agenda. Council Member Underwood seconded the motion. All members present voted in favor of the motion. The motion carried 6-0.

ANNOUNCEMENTS:

Mayor Hall said Council wanted to congratulate Eden Parks & Recreation’s own Carla Huffman who won the Senior Games Doubles Pickleball State Championship over the weekend with Tracy Case of Mayodan. It was the second year in a row Ms. Huffman won the state championship for her age bracket. He congratulated Ms. Huffman and asked for a round of applause. He noted Treat Street would be held Friday, Oct. 27 on Washington Street from 3 to 6 p.m. On Saturday, Oct. 28, The Boulevard would be having their Boo-levard celebration from 1 to 4 with Halloween at Freedom Park from 2 to 5. A special Council meeting would be held Thursday, Nov. 2 at 5:30 p.m. to expedite applications for grant funding the City was applying for.

Council Member Moore said for the last several weeks he had been to the Mill Avenue Recreation Center when the girls volleyball was being played. He had seen a vast improvement in the players and how they were coming along. It was impressive. The previous Thursday, there were no parking spots on either side of the building. The stands on both sides of the gym were packed. The girls playing were having a good time. That was something the City probably should have started five years before because it would be a feeder program, as Mr. Mendenhall had discussed, for the middle school and then high school. He encouraged everyone if they had a chance to go on a Tuesday or Thursday to watch the third through eighth graders.

Mayor Hall said the City’s youth sports were headed in the right direction. He was confident of that.

Council Member Underwood asked Ms. Stultz if they were still looking good for Eden Fire Station 2.

Ms. Stultz indicated they were.

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