

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, December 19, 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 (outgoing)
	Bruce Nooe
	Tommy Underwood
	Jason Wood (newly elected)
City Manager:	Jon Mendenhall
City Attorney:	Erin Gilley
City Clerk:	Deanna Hunt
Media:	Mike Moore, Mike Moore Media
	Roy Sawyers, Rockingham Update
	Lisa Griffith, Eden's Own Journal

MEETING CONVENED:

Mayor Hall called the regular meeting of the Eden City Council to order and welcomed those in attendance. Pastor David Bishop, First Baptist Church, gave an invocation followed by the Pledge of Allegiance led by Samuel Gover, a fifth grader at Central Elementary School.

PROCLAMATIONS AND RECOGNITIONS:

- a. Recognition: outgoing Council Member and Mayor Pro Tem Bernie Moore.

Mayor Hall asked Council Member Moore to come forward. Mayor Hall said Mr. Moore had led a life of service and sacrifice to the City of Eden and his fellow citizens. He joined the Eden Fire Department as a volunteer in 1976, becoming a full-time driver/operator in 1989. In October 2008, he was tapped as the new fire chief after serving as interim for several months. He was a hugely popular fire chief who led the department until his retirement in 2010. In 2015, Mr. Moore was elected as a Council Member. He had been a fantastic advocate for the City, serving in many capacities including as Mayor Pro Tem and member of the Rockingham County Solid Waste Committee. Anyone who knew Mr. Moore would describe him as a good man who loved his family, his church and the City. The City had been blessed to have him as a representative and looking out for the City and the citizens' best interests. He thanked Mr. Moore for his service and wished he and his wife all the best as they enjoyed retirement. He congratulated him on his successful career and presented him with a framed painting of City Hall.

Council Member Moore said he did not deserve that, as Council was made of seven people. He had enjoyed being part of the community for many years and wanted to continue to do so. He looked forward to continuing to help the City in any way he could. He thanked everyone.

- b. Proclamation: Martin Luther King Jr. Day

Mayor Hall read the proclamation.

Proclamation
Martin Luther King, Jr. Day

WHEREAS, January 15 will mark the observance of the federal legal holiday to honor the birthday of the Reverend Dr. Martin Luther King, Jr., and

Minutes of the December 19, 2023 meeting of the City Council, City of Eden:

WHEREAS, Dr. King dedicated his life to a vision: that all Americans would live free from injustice and enjoy equal opportunity. His peaceful and lifelong crusade against segregation and discrimination brought our communities closer to the founding ideals set forth in the Declaration of Independence and the Constitution; and

WHEREAS, as we honor Dr. King, we know that our community is stronger, more just, and more free because of his life and work; and

WHEREAS, in paying tribute, we are reminded that the call lies with each of us to fulfill Dr. King's work. Let us use our time, talents, and resources to give back and help those less fortunate. Let us not forget Dr. King's own tireless spirit and efforts as we work, celebrate, and pray alongside each other.

NOW, THEREFORE, BE IT PROCLAIMED that I, Neville Hall, Mayor of the City of Eden, hereby designate January 15, 2024 be set aside as Martin Luther King, Jr. Day in the City of Eden and urge all citizens to join with me this day to apply Dr. King's life and teachings of community service.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 19th day of December, 2023.

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

OATHS OF OFFICE:

- a. Introduction of the Honorable N.C. State Representative Reece Pyrtle.

Mayor Hall introduced Representative Pyrtle, who was no stranger to the community having retired as Eden's police chief and formerly serving as a County Commissioner. He now served in the N.C. House of Representatives. The City appreciated him coming to give the oaths of office.

- b. Swearing in of newly elected Council Member Jason Wood – Ward 1.

Jason Wood was sworn in as a Council Member.

- c. Swearing in of newly elected Council Member Bruce Nooe – Ward 2.

Bruce Nooe was sworn in as a Council Member.

- d. Swearing in of newly elected Council Member Greg Light – Ward 6.

Greg Light was sworn in as a Council Member.

- e. Swearing in of newly elected Council Member Jerry Ellis – Ward 7.

Jerry Ellis was sworn in as a Council Member.

Mayor Hall thanked Tom Barbour, of Barbour Studio, for being at the meeting to take the Council photos, as he always did.

SELECTION OF MAYOR PRO TEM:

A motion was made by Council Member Nooe that Jerry Ellis serve as Mayor Pro Tem. Council Member Kirkman seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

MAYORAL APPOINTMENTS:

- a. ABC Board

Mayor reappointed Lisa Duncan to serve on the ABC Board.

b. ABC Board Chair

Mayor Hall reappointed Tommy Flynt to continue to serve as ABC Board Chair.

c. Rockingham County Solid Waste Committee

Mayor Hall appointed Council Member Nooe to serve on the Rockingham County Solid Waste Committee.

d. Piedmont Triad Regional Council Delegate

Mayor Hall reappointed Council Member Greg Light to continue to serve as Piedmont Triad Regional Council Delegate.

e. Rural Planning Organization Technical Advisory Committee

Mayor Hall reappointed Council Member Tommy Underwood to continue to serve as on the Rural Planning Organization Technical Advisory Committee.

He thanked the appointees for their willingness to serve.

SET MEETING AGENDA:

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

PUBLIC HEARINGS:

a. Consideration of an amendment to the CDBG-NR (Grant No. 18-C-3071) project description and budget.

Planning and Community Development Director Kelly Stultz wrote in a memo: The purpose of this memo is to summarize the CDBG Program Amendment for the City's Community Development Block Grant Program, being presented for adoption at the City Council meeting.

PURPOSE OF HEARING:

The purpose of the public hearing is to allow residents an opportunity to express their views concerning the proposed amendment to the FY18/19 Community Development Block Grant for the Neighborhood Revitalization Project, CDBG-NR Grant # 18-3071.

HISTORY:

In late 2019, the City received \$750,000 in U.S. Department of Housing and Urban Development (HUD) CDBG-NR funds (approx. 100% of total project costs) from the North Carolina Department of Commerce (DOC) Rural Economic Development Division (REDD).

PROJECT DESCRIPTION:

The original approved project scope included the following major activities:

1. Rehabilitation of approximately 10 homes in the Draper Neighborhood Area.
2. Six homes were also listed as alternates in case any of the priority homes were eliminated due to CDBG eligibility requirements, and in case any funds were remaining to serve them.
3. Rehabilitation of approximately 5,600 LF of sidewalk, curb and gutter, and drainage improvements along New and Front Street.

The amended project scope proposed includes:

1. Retaining assistance for approximately 6 homes in the Draper Area

2. Removing the 5,600 LF of sidewalk, curb and gutter, flood and drainage component
3. Adding rehabilitation of the old Fire Station located at 1431 Fieldcrest Road in Eden.

Housing

All households must be owner-occupied single-family homes owned by low-to-moderate (LMI) residents. All homes will be reviewed for compliance with state and federal environmental regulations. Construction costs have increased greatly since the start of the grant, so, in an attempt to assist as many homes as possible, the City is foregoing the sidewalk portion of the original project to focus on housing. CDBG funds can only be used to rehabilitate homes of verified LMI households. This means that 100% of grant funds will directly benefit LMI residents.

Fire Station

The Fire Station at 1431 Fieldcrest Road is currently not in use due to building safety issues. The proposed scope of work includes but is not limited to: mold and mildew remediation; foundation waterproofing and repairs; exterior and interior work; mechanical, electrical, and plumbing upgrades; new HVAC and ductwork on the main floor; new dehumidifier in the basement; and other essential structural integrity repairs necessary for operations. A May 2022 structural engineer report and November 2022 air quality report revealed necessary repairs and remediation measures for those components. The fire station is in the same census block as the housing rehabilitation and sidewalk improvements. From HUD FY18/19 LMISD based on 2011-2015 ACS data, Census Tract 0402, Block 2, serves 1230 persons and is 73.58% LMI, meeting the CDBG national benefit requirements.

Adding the fire station to the grant will require a new CDBG environmental review and request for release of funds process, a new grant agreement with milestones for deliverables, and updated compliance plans, policies, and reporting for any additional funds received from Commerce.

Budget Proposed

The City proposes to move funds from the sidewalk costs (Pedestrian and Flood improvements) to the housing Rehabilitation line item to help with rising construction costs. The cost estimate for the fire station includes construction, contingency, and construction management services provided by an engineer. Additional grant administration is also being requested to close out the grant. The proposed budget amendment is depicted in the table below. The City will request these additional funds from Commerce.

CDBG Activity	Original Budget (\$)	Change (\$)	New Budget (\$)
Pedestrian Improvements	141,600	(141,600)	0
Flood & Drainage Improvements	88,400	(88,400)	0
Rehabilitation	445,000	230,000	675,000
Fire Protection Facilities	0	1,200,000	1,200,000
Grant Administration	75,000	100,000	175,000
Total	750,000	1,300,000	2,050,000

The purpose of the public hearing is to present the proposed amendment and to move forward in requesting permission from DOC for the City to amend the project scope and budget. The project amendment package will be submitted to DOC within approximately one week after all required CDBG forms are executed. Once the amendment is approved by the State, the City will proceed with fire station related activities. The City will provide oversight of all contracted parties required to complete this project.

CITIZEN COMMENTS:

Comments should be postmarked no later than September 22, 2023, and a written response will be made within 10 business days. Public grant documents are available at City Hall upon request, between the hours of 9:00 AM and 4:00 PM. For additional information or to submit written comments, please contact:

Kelly Stultz, City Planning and Community Development Director 308 East Stadium Drive
 Eden, NC 27288
 PH: 336-623-2110 / TDD: 800-735-2962 (Relay Service 711)
 KStultz@edennc.us

This information is available in Spanish or any other language upon request. Please contact City Hall at 336-623- 2110 or at 308 E Stadium Drive, Eden, NC 27288 for accommodations for this request. Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con la Oficina del Administrador de la Ciudad, al 336-623-2110, o en 308 E Stadium Drive, Eden, CN 27288, de alojamiento para esta solicitud.

C: CDBG-NR File, 18-C-3071

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

Ms. Stultz said normally she did not read things in the meeting, but because the budget was being amended, she was required to read the memo so it was recorded in the minutes. The grant started out as a housing grant, a Neighborhood Revitalization Grant, that focused on Draper Mill Village.

She explained the purpose was to summarize the Community Development Block Grant Program Amendment for the City's Community Development Block Grant Program being presented for adoption at the City Council meeting. The purpose of the hearing was to allow residents an opportunity to express their views concerning the proposed amendment to the Fiscal Year 18/19 Community Development Block Grant for the Neighborhood Revitalization Project, CDBG-NR Grant # 18-3071. In late 2019, the City received \$750,000 in U.S. Department of Housing and Urban Development (HUD) CDBG-NR funds (approximately 100 percent of total project costs) from the North Carolina Department of Commerce (DOC) Rural Economic Development Division (REDD).

Ms. Stultz said the original approved project scope included the following major activities:

1. Rehabilitation of approximately 10 homes in the Draper neighborhood area.
2. Six homes were also listed as alternates in case any of the priority homes were eliminated due to CDBG eligibility requirements, and in case any funds were remaining to serve them.
3. Rehabilitation of approximately 5,600 linear feet of sidewalk, curb and gutter, and drainage improvements along New Street and Front Street.

She said the amended project scope proposed included:

1. Retaining assistance for approximately six homes in the Draper area.
2. Removing the 5,600 linear feet of sidewalk, curb and gutter, flood and drainage component.
3. Adding rehabilitation of the fire station located at 1431 Fieldcrest Road in Eden.

Ms. Stultz said all households must be owner-occupied single-family homes owned by low-to-moderate (LMI) residents. All homes would be reviewed for compliance with state and federal environmental regulations. Construction costs had increased greatly since the start of the grant so in an attempt to assist as many homes as possible, the City was foregoing the sidewalk portion of the original project to focus on housing. CDBG funds could only be used to rehabilitate homes of verified LMI households. That meant that 100 percent of grant funds would directly benefit LMI residents.

Ms. Stultz said the fire station at 1431 Fieldcrest Road was currently not in use due to building safety issues. The proposed scope of work included but was not limited to: mold and mildew remediation; foundation upgrades; new HVAC and ductwork on the main floor; new dehumidifier in the basement; and other essential structural integrity repairs necessary for operations. A May 2022 structural engineer report and November 2022 air quality report revealed necessary repairs and remediation measures for those components. The fire district was in the same census block as the housing rehabilitation and sidewalk improvements. From HUD FY18/19 LMISD based on 2011 to 2015 data, Census Tract 0402, Block 2, served 1,230 persons and was 73.58 percent LMI, meeting the CDBG national benefit requirements. Adding the fire station to the grant would require a new CDBG environmental review and request for release of funds process, a new grant agreement with milestones for deliverables, and updated compliance plans, policies, and reporting for any additional funds received from Commerce.

Ms. Stultz said the City proposed to move funds from the sidewalk costs (pedestrian and flood improvements) to the housing rehabilitation line item to help with rising costs. The cost estimate for the fire station included construction, contingency, and construction management services provided by an engineer. Additional grant administration was also being requested to close out the grant. The proposed budget amendment was depicted in the table below. The City would request these additional funds from Commerce.

CDBG Activity	Original Budget (\$)	Change (\$)	New Budget (\$)
Pedestrian Improvements	141,600	(141,600)	0
Flood & Drainage Improvements	88,400	(88,400)	0
Rehabilitation	445,000	230,000	675,000
Fire Protection Facilities	0	1,200,000	1,200,000
Grant Administration	75,000	100,000	175,000
Total	750,000	1,300,000	2,050,000

Ms. Stultz read from the table that the new budget for Pedestrian Improvement was zero; Flood and Drainage Improvement was zero; Rehabilitation was \$675,000; Fire Protection Facilities was \$1.2 million; and Grant Administration was \$175,000, for a total of \$2,050,000.

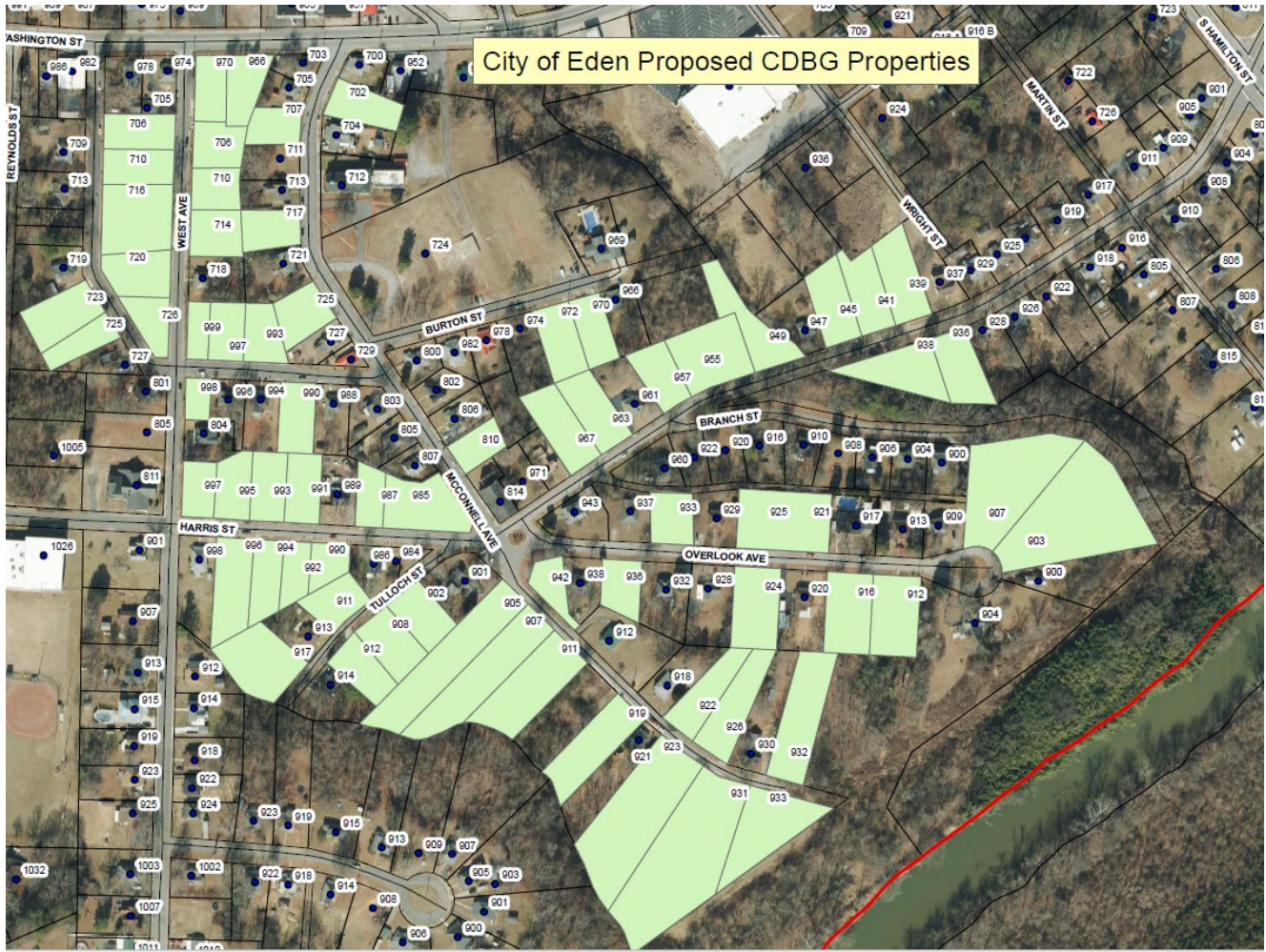
She explained the purpose of the public hearing was to present the proposed amendment and to move forward in requesting permission from the Department of Commerce for the City to amend the project scope and budget. The project amendment package would be submitted to DOC within approximately one week after all required CDBG forms were executed. Once the amendment was approved by the State, the City would proceed with fire station related activities. The City would provide oversight of all contracted parties required to complete the project. Comments should be postmarked and sent to City Hall to her attention. She requested Council approve the amendment to the grant application.

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

A motion was made by Council Member Kirkman to amend the CDBG-NR (Grant No. 18-C-3071) project description and budget. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

- b. Consideration and approval to file a CDBG-NR application with the N.C. Department of Commerce for funds to assist with housing improvements for low- and moderate-income households.

Ms. Stultz wrote in a memo: The City of Eden proposes to request funding from NC Department of Commerce CDBG Neighborhood Revitalization Program for the City of Eden Community Development Draper Neighborhood Revitalization Housing Project. All project activities will serve households with incomes at or below 80% of the Rockingham County median income for appropriate household size. The proposed budget includes the following housing related CDBG activities: \$855,000.00 for Rehabilitation of homes and \$95,000 for Program Administration for a total grant budget of \$950,000.00. As the time for filing the application approaches, we are required to hold a second public hearing to obtain citizen’s views and to allow response from the public to funding proposals and answer any questions posed by citizens. This is a requirement of the North Carolina Department of Commerce. In order to proceed with the filing of a formal application, the attached Resolution authorizing the submittal of a formal application to the N. C. Dept. of Commerce needs to be adopted by the City Council. If you have any questions, please do not hesitate to contact me.



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

Ms. Stultz said the hearing was for CDBG-NR program for the area in and around the former Boy’s Club in Leaksville. These were the first low- and moderate-income housing funds requested for the area. As the time for filing the application approached, the City was required to hold a second public hearing to get citizens’ views and allow a response from the public to funding proposals as a requirement from the N.C. Department of Commerce. In order to proceed with the filing of a formal application, the attached resolution authorizing the submittal of a formal application to the N.C. Department of Commerce, needed to be adopted by City Council. She could answer any questions and asked that Council adopt the resolution. It would be included in the minutes in its entirety.

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

A motion was made by Council Member Epps to adopt a resolution to approve to file a CDBG-NR application with the N.C. Department of Commerce for funds to assist with housing improvements for low- and moderate-income households. Council Member Underwood seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

Council Member Underwood asked Ms. Stultz when work could be expected to start.

Ms. Stultz said the resolution was just another hurdle to jump through. The environmental review was already underway and should be near completion. As soon as all the stuff she had talked about got through Commerce,

she hoped it would be under construction or at least it would be able to be bid out in late winter. The repairs would not take that long once staff got the opportunity to bid the project out.

RESOLUTION FOR CITY OF EDEN APPLICATION FOR
COMMUNITY DEVELOPMENT BLOCK GRANT-NEIGHBORHOOD REVITALIZATION FUNDING

WHEREAS, the Eden City Council has previously indicated its desire to assist in community development efforts for housing within the City; and,

WHEREAS, the Eden City Council has held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit primarily low-to-moderate income individuals in the City by providing housing improvement activities; and,

WHEREAS, the Eden City Council wishes to pursue a formal application for Community Development Block Grant funding to benefit primarily low-to-moderate income individuals in the City by providing housing improvement activities; and,

WHEREAS, the Eden City Council certifies it will meet all federal regulatory and statutory requirements of the State of North Carolina Community Development Block Grant Program;

NOW, THEREFORE BE IT RESOLVED, by the Eden City Council that the City is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant-Neighborhood Revitalization Program in order to provide housing improvement activities benefitting primarily low-to-moderate income individuals in the City.

Adopted this the 19th of December 2023, in Eden, North Carolina.

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 policy for speakers, which she did.

Linda Hampton, 203 Lenoir Drive, said she had been at that address over 40 years. She had brought copies of a handout that had been distributed to Council prior to the start of the meeting. She was from the Grand Oaks neighborhood and they had a few complaints that had been going on for quite some time there. There were situations that had been brought up and addressed but had not really been fulfilled. The following streets in Grand Oaks were listed. The residents had been going through for a long time and nothing had been done. On Sunset Drive, there were three openings which were located behind the cottage of the Oak House. Those were repaired and now were sinking back in. The gravel, or whatever was put there, had worn down with cars going over it and it was really bad. On Conover Drive, which was on the far backside of the neighborhood, a patch there was sinking. There was a large square patch at Knollwood and Conover which had been done but was again worn out. There was a patch on Woodland Drive that had been done in the summer and it was sinking back in again. Residents had complained about the water shooting up out of the ground there, that had gone down again. Between 204 and 206 Knollwood, there was a very, very big hole in the center of the road. She understood the City had a water leak on John Street. The Grand Oaks residents were out of water and had no idea it was off until neighbors began calling each other. The water was off until about 9 p.m. Sunday night. She did not know if the water would be adjusted or if residents would pay that bill, but either way they looked at it, it was fixed and that was appreciated. There was a house in a corner in the woods with a Waste Management trashcan that sat out there as well as a City can. No one knew where the cans belonged or what address. A new neighbor moved in and wanted to know. The cans were left in front of the house 24/7. Hopefully someone could check into that.

Mayor Hall said he did not mean to interrupt but the three minutes were up and they had to stick to that rule. He noted that everything she went over was in the handout and Council appreciated her pointing those out. He could answer that any water that leaked before it got to her meter would not be billed to her. If it was leaking in the road, it would not come to her house. The City Manager would address some of the other issues when he did his report. He thanked her.

Merinda Easley, Shaw Christian Church, 208 The Boulevard, thanked Council for the opportunity to speak. She had noticed Draper was looking beautiful for the season and Washington Street was elaborate for the season. She wanted to know what they needed to do on The Boulevard to have lights for the next year. They had snowflakes put up on the previous year but did not have lights. She wanted to know the policy and procedure to go through so they would be prepared. She asked that someone address that so they could go step-by-step in ensuring that happened the following year.

Mayor Hall asked Ms. Stultz if that would fall under her department.

Ms. Stultz advised it would.

Mayor Hall said the merchants did buy the lights in Leaksville and that was one thing to consider.

Council Member Ellis said the residents bought the lights in Draper.

Mayor Hall said he would have Ms. Stultz get with Ms. Easley regarding where to start to look for funding for that.

UNFINISHED BUSINESS:

a. Consideration of Boards and Commissions appointments.

Ms. Stultz wrote in a memo: The following seats on the City Boards and Commissions are up for appointment or reappointment in 2024. 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 (Wood): Tree Board – Leslie Wyatt (Newly Appointed, Term Expired, Re-Appoint in December)

Ward 2 Councilman Nooe: Community Appearance – Martha Corum (Resigned)

Mayor Hall: Historic Preservation – Blanche Hailey (Resigned)

Mayor Hall called on Ms. Stultz.

Ms. Stultz said there were only a few appointments left to make as Council had done incredibly well.

Council Member Wood nominated Leslie Wyatt to continue to serve on the Tree Board.

Council Member Nooe did not have a nomination for Community Appearance.

Mayor Hall nominated Chase Lemons to serve on the Historic Preservation Commission.

A motion was made by Council Member Ellis to appoint Leslie Wyatt to the Tree Board and Chase Lemons to the Historic Preservation Commission. Council Member Underwood seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

b. Consideration of a request to adopt an ordinance for the demolition of a residential structure at 626 Spring Street under Article 9, Building Maintenance Standards of the Unified Development Ordinance.

Ms. Stultz wrote in a memo: Attached you will find a section of the Human Habitation Standards in Article 9 of the Unified Development Ordinance relating to the steps to be taken when an owner fails to comply with an order to repair or demolish. Also attached is a copy of the Complaint and Notice of Hearing which sets out the violations found at the initial inspection and a copy of the Findings of Fact and Order. The City of Eden Human Habitation Standards and the enabling legislation permit the City Council, upon adoption of an Ordinance, to order the repair or demolition of the structure. The City of Eden Fire Department has informed this Department that the structure can be burned for training. Staff recommends that the Fire Department burn the house at its earliest convenience.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said the item had been on the agenda the previous month and she was happy to say that with help from Fire Chief Chris White, the fire department was approved to burn the structure. The ordinance to demolish it was still required for the burn.

Council Member Underwood made a motion to adopt an ordinance for the demolition of a residential structure at 626 Spring Street under Article 9, Building Maintenance Standards of the Unified Development Ordinance. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

AN ORDINANCE AND ORDER FOR THE DEMOLITION OF PROPERTY AT 626 SPRING STREET,
EDEN, NORTH CAROLINA

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160D, Article 4 and Article 9 of the City of Eden Unified Development Ordinance.

WHEREAS, on the 21st day of June, 2022, the Director of the Planning and Community Development Department caused an examination of the dwelling owned by Dock Roland Pulliam Heirs, including, but not limited to, Reva Pulliam Jones, Milton Wayne Pulliam, Tommy Burchell and Sheila Starnes, at 626 Spring Street, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

TRACT 1: BEGINNING at an iron in the south side of Spring Street, said iron being the S.E. corner of the intersection of Spring Street by a 9.87 foot alley; thence with the South side of Spring Street, South 38 deg. 40 min. East 45 feet to an iron and continuing South 71 deg. 47 min. East 47.25 feet to an iron; thence leaving the south side of Spring Street, South 14 deg. 37 min. West about 150 feet to an iron in a drain; thence North 83 deg. 04 min. West 77.2 feet to an iron; thence South 62 deg. 25 min. West 43.4 feet to an iron; thence North 2 deg. 16 min. East 122.3 feet to an iron in the east line of a 9.87 foot alley; thence with the east line of said alley, North 42 deg. 16 min. East 11.73 feet to the POINT OF BEGINNING and containing 22,500 square feet, more or less. Same being an unnumbered lot, Section 16, Primitive Heights, as per map by W. B. Trogon, March, 1921, revised 9-18-28, and supplemental survey by W. T. Combs, 1947. See Deed Book 499, at page 177 and Deed Book 709, page 13. The above-described property being more commonly known as 626 Spring Street, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7070-15-54-5254-00.

TRACT 2: Situated in the City of Eden, Leaksville Township, Rockingham County, North Carolina, and being an unnumbered Parcel of land as shown on a "Map of Primitive Heights – Spray Water Power & Land Company Property, Spray, N.C.," prepared by W. B. Trogon, Engineer, Greensboro, N.C. dated March 1921, together with subsequent revisions, and being of recorded in Plat Book 3, page 131, Rockingham County Register of Deeds' Office, Wentworth, North Carolina; said Unnumbered Parcel being located within Block 16 of the aforesaid Map of Primitive Heights, extending and being contiguous therein from the south margin of Spring Street to the northerly margin of North Church Street and lying northerly from the rear lines of Lots 22 and 23, Block 16, of the aforesaid map, and showing a Spring with the boundaries of the Parcel herein conveyed. See Deed Book 740 at page 273. The above-described property adjoins 626 Spring Street on the west and is further identified by the Rockingham County Tax Dept. as PIN 7070-15-54-4159-00.

WHEREAS, on the 14th day of September, 2022, the Director caused to be issued a Complaint and Notice of Hearing for the 6th day of October, 2022, which was served on the property owners by first class mail and certified mail, return receipt requested; the certified mail for Reva Pulliam Jones, Milton Wayne Pulliam and Tommy Burchell was received on the 19th day of September, 2022; the certified mail for Sheila Starnes was returned marked "Not Deliverable as Addressed" and "Unable to Forward;" the Complaint and Notice of Hearing was posted on the subject property on the 15th day of September, 2022; the Complaint and Notice of Hearing was published in the Rockingham Now on the 21st day of September, 2022; and

WHEREAS, the hearing was held on the 6th day of October, 2022, and the Director subsequently issued an Order to repair, alter, improve or vacate and demolish the dwelling located on the property; and

WHEREAS, a copy of the Order was served on the property owners by certified mail, return receipt requested, and first-class mail; the certified mail was returned by the U. S. Postal Service marked "Vacant" or "Unclaimed" and "Unable to Forward"; the first-class mail was not returned; the Finding of Fact and Order was posted on the subject property on the 11th day of October, 2022; the Finding of Fact and Order was published in the Rockingham Now on the 19th day of October, 2022; and

WHEREAS, the property owners did not appeal the Order and, pursuant to Article 9, Section 9.02(K)(2) of the City of Eden Unified Development Ordinance, a copy of the order has been mailed to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notice; and

WHEREAS, the Owners have had a reasonable opportunity to bring the property into conformity with Article 9, Section 9.02 of the City of Eden Unified Development Ordinance and they have failed to take any action to comply with the Director's Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden that the Director is hereby ordered to proceed to effectuate the purpose of the Human Habitation Standards set out in Article 9, Section 9.02 of the City of Eden Unified Development Ordinance with respect to the property described above by demolishing the structures located thereon.

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the name of Dock Roland Pulliam, Reva Pulliam Jones, Milton Wayne Pulliam, Tommy Burchell and Sheila Starnes in the Grantor and Grantee index.

IT IS FURTHER ORDERED that the amount of the cost of demolishing the dwelling by the Director shall be a lien against the real property upon which the cost was incurred, said lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by North Carolina General Statutes Chapter 160D, Article 10.

APPROVED, ADOPTED AND EFFECTIVE, this 19th day of December, 2023.

CITY OF EDEN

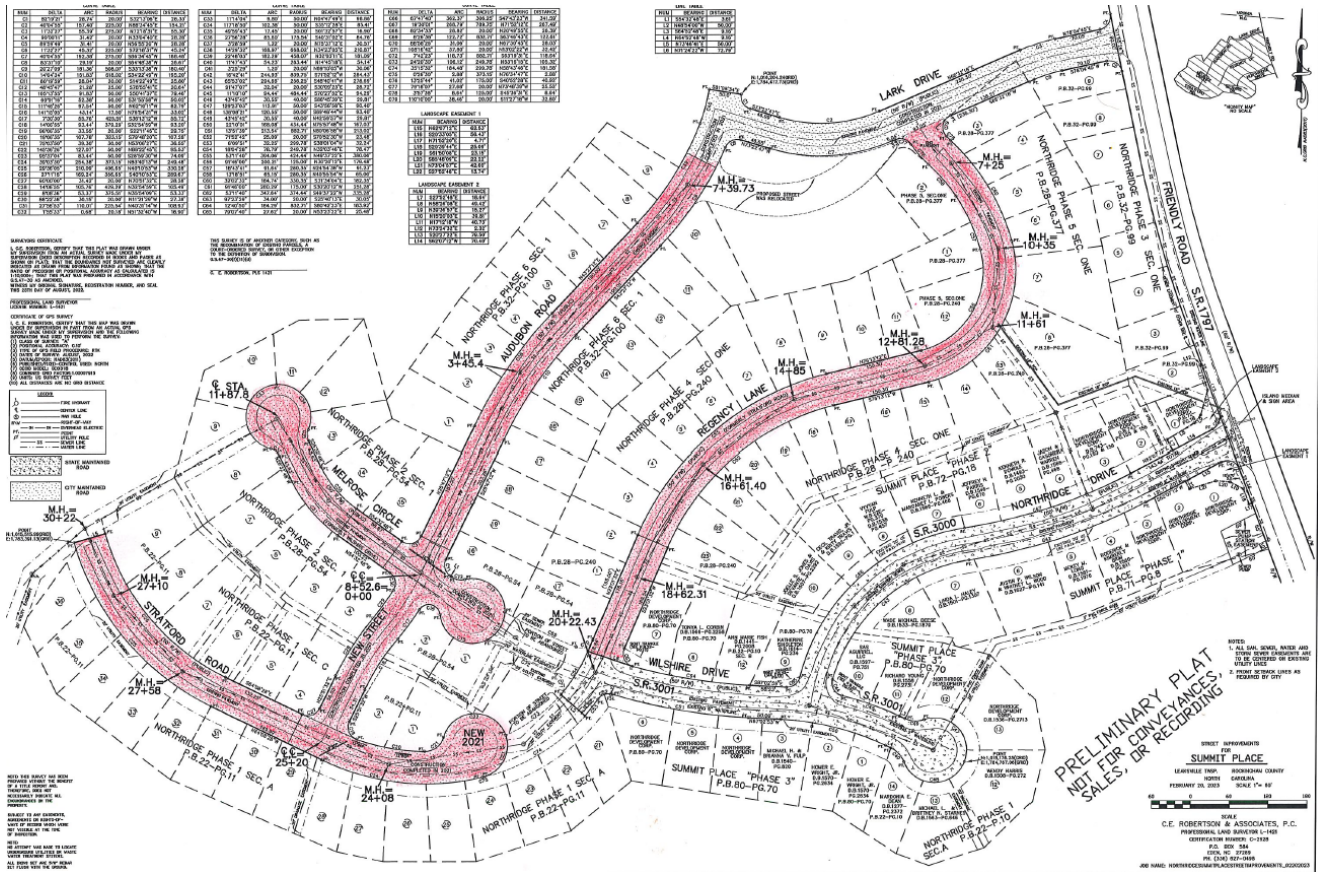
By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

NEW BUSINESS:

- a. Consideration to accept maintenance for Regency Lane, Audubon Road, Stratford Road and Melrose Circle.

Ms. Stultz wrote in a memo: Northridge Development Corporation has submitted a request for the City to accept Regency Lane, Audubon Road, Stratford Road and Melrose Circle 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 memo with the street lengths and a map of the above-stated streets that they want accepted. The map also indicates sections of Stratford Road and Wilshire Drive that are being abandoned. Attached are copies of the memo and a preliminary map for your review. The streets to be accepted for maintenance are indicated with red. The final map will be recorded if you choose to accept the streets. Design and Construction has monitored the improvements to the streets during construction and they do meet our standards. As we work toward improving the economic health of Eden, there is currently a strong need for housing. In my opinion, these streets should be accepted and included in the Powell Bill list for maintenance funding.



Mayor Hall called on Ms. Stultz.

Ms. Stultz said Council was familiar with the Northridge subdivision, parts of which became Summit Place. The owners of the property had been redoing the streets. The streets they were asking the City to add to the system were improved and inspected by the City’s engineering staff. Staff asked that Council accept them for maintenance.

Council Member Underwood said he went out and rode on each of them and they did look good.

Ms. Stultz said Projects Coordinator Kevin London did a great job with that.

A motion was made by Council Member Ellis to accept maintenance for Regency Lane, Audubon Road, Stratford Road and Melrose Circle. Council Member Light seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

- b. Consideration to authorize legal action to evict occupant of non-compliant residential structure on Black Bottom Road.

Ms. Stultz wrote in a memo: Attached you will find a section of the Human Habitation Standards in Article 9 of the Unified Development Ordinance relating to the steps to be taken when an owner fails to comply with an order to repair, alter, improve or vacate the structure. Also attached is a copy of the Complaint and Notice of Hearing which sets out the violations found at the initial inspection and a copy of the Findings of Fact and Order. The City of Eden Human Habitation Standards and the enabling legislation permit the City Council, upon adoption of an Ordinance, to file a civil action in the name of the City to remove such occupant. Staff recommends that the City Council authorize the City Attorney to begin legal action immediately to enforce the City of Eden Human Habitation Standards.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said she and her staff, as well as Ms. Gilley, had been working on the issue for a long time. There was a person who lived in what was effectively a storage building on the property. It was heir property and owned by a big family of people. The occupant was one of the heirs but he was living in property that did not qualify as a residence. There were no sanitary facilities or those things necessary. It had become a problem for the neighborhood. Staff asked Council to allow them to start the eviction process.

Council Member Ellis asked if anyone from the family was at the meeting.

Ms. Gilley advised they were.

Council Member Underwood asked Ms. Stultz if she had talked with anybody.

Ms. Stultz said yes, a number of times. They had various family members in the office a number of times. The family members reported the situation and alerted the City.

Council Member Ellis asked a family member in the audience how long the situation had been going on and the audience member responded a year.

Council Member Ellis asked if he knew the person and if the person had somewhere else to go, to which the audience member said yes.

Mayor Hall said he had seen it and it was a storage building and against the City's ordinance, which was the bottom line.

A motion was made by Council Member Nooe to authorize legal action to evict occupant of non-compliant residential structure on Black Bottom Road. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

REPORTS FROM STAFF:

a. City Manager's Report.

Mayor Hall called on Mr. Mendenhall.

Mr. Mendenhall said he would be happy to answer any questions about the report but wanted to address the items brought up from the Grand Oaks neighborhood. He and Public Works representatives would be in the back of the room at the end of the meeting and would review each item with the citizens who requested them. If they would stay until the end, he would make sure the issues would be addressed. He wished Council and the public Merry Christmas and a Happy New Year. He appreciated the opportunity to serve.

Mayor Hall thanked him and said the detailed report was available at the meeting, online and in Eden's Own Journal. He told Ms. Hampton that some of the issues she reported required a work order and Mr. Mendenhall would advise her how the City needed to move forward with that.

City Manager's Report: December 2023 - City Manager Jon Mendenhall

ADMINISTRATION

Marketing & Communications Office

We have set our 2024 EVENT DATES! Mark your calendars. It's going to be exciting!

- April 27 Native American Youth Powwow
- May 16 Spring Grown & Gathered
- June 1 Piedmont Pottery Festival

Minutes of the December 19, 2023 meeting of the City Council, City of Eden:

- June 15 Oink & Ale
- July 20 Shaggin' on Fieldcrest
- August 8 Summer Grown & Gathered
- August 17 Touch-A-Truck
- September 20 & 21 RiverFest
- December 6 WinterFest

THANK YOU to everyone who took part in making Eden a magical and fun place to be at Christmas! There were so many fun and meaningful events this season and it takes an army to get it all done. There were decorations and lighted trees in our business districts, open houses, parades, WinterFest, Ladies Night Out, Holiday Stroll, bazaars, carriage rides, musical performances, visits and breakfasts with Santa and so much more. Again, THANK YOU FOR ALL YOUR HARD WORK! It was noticed and enjoyed by all!

PARKS & RECREATION DEPARTMENT

Recreation Division

Bridge Street Recreation Center: Bridge Street Recreation Center has been busy with daily walkers and fitness classes. Basketball season for the Prowlers is in full swing with practices and games.

Mill Avenue Recreation: Pickleball is played Monday, Wednesday, Friday and Sunday afternoons. We are having open gym during the week for citizens that work so they can have the chance to come play basketball. Volleyball is being played on Tuesdays and Thursdays.

Freedom Park: We will be removing the playground equipment at Freedom Park in the next couple of weeks to make way for the new playground.

Senior Center: We have had lots of visits during the month of November. Our seniors are taking advantage of our senior center programs. They also traveled to Charleston recently.

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

There were 4 housing code violations that went before council members at the November 21, 2023, City council meeting, three of which were approved for demolition and one that was put on hold until the fire department determines whether they can use it for training purposes. 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 November 01– November 30, 2023

Total Local Code Inspections Performed	25
Local Code Notices Sent	02
Local Codes Abated	13

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 the property address for each trade.

Inspections & Permits November 2023

Total Inspections Performed	232 (Does not include fire inspections)
Total Permits Issued	127

Boards & Commissions

The Community Appearance Commission (CAC) met for the month of November and discussed future projects.
The Historic Preservation Commission (HPC) met for the month of November and discussed future projects.
The Tree Board met for the month of November and discussed future projects.
The Planning Board did not meet for the month of November due to there being no cases.

Veterans Park Beautification Project

After approval from the Community Appearance Commission, staff moved forward with phase 1 of the Veterans Park Beautification Project. Landscape contractor Webb Irving completed the removal of the blighted/dead juniper, raked and smoothed area, applied mulch and reseeded bare spot areas along the Main Street portion of the Veterans Park. Phase 2 will commence in the Spring of 2024, and the CAC will collaborate with local garden clubs to provide plantings for the Veterans Park Beautification Project.

Christmas Tree Lighting Campaign

The Tree Board launched their “Christmas Tree Lighting Campaign” on City social media and Website pages to encourage citizens to decorate a tree on their property for the upcoming Holiday season. This campaign also encourages citizens to re-plant their live Christmas Tree on their property if possible.

POLICE DEPARTMENT

Approximately 50% of our officers have successfully qualified with the new Glock Pistols. The remaining officers are scheduled to qualify December 5, 2023 and December 12, 2023. The transition is proving to be seamless, as expected, and there are overwhelming positive responses to carrying a tried-and-true Duty Weapon.

We ordered and received six 2023 Dodge Durango’s. One Durango, assigned to administration, has been upfitted and is now in service. Two of the patrol Durango’s have been fully upfitted and are in service.

The AXON Interview Room upgrade has been complete. The Interview room is functioning and with this upgrade all of our videos are maintained in one platform.

FIRE DEPARTMENT

The Fire Department has filled its open positions. The Fire Department conducted a turkey frier public education campaign for Thanksgiving. Squad 4 has presented some emissions problems related to emissions controls on the diesel engine, Fleet Division and Fire Department personnel are evaluating options to improve the reliability of this unit in compliance with emissions regulations.

PUBLIC WORKS DEPARTMENT

Streets

The Street Division is 99% complete with the Monroe Street streetscape project, one section of concrete has not been poured as the city awaits the telephone company’s replacement of a rotted utility pole. Leaf season is winding down to a close and work is beginning prior to January to test trucks/plows for snow season. A general re-organization and promotion board was carried out in this unit for efficiency and succession planning purposes.

Construction

Dog park drainage improvements have been completed. Additional waterline work is being scheduled to begin after the holiday period.

Collections & Distribution

The Collections & Distribution Division is continuing the proactive work on waterline and sewer line maintenance; given seasonal change (temperature) the incidence of water leaks has increased to 35 the past month (32 being the average) but remains within normal bounds. A general re-organization and promotion board was carried out in this unit for efficiency and succession planning purposes.

Solid Waste

Solid Waste Division is continuing to work on collection of solid waste and transferring/hauling it to the landfill. The amount of municipal solid waste (MSW) hauled in the past month was 572.50 tons, which is higher than the moving average of 501.27 tons. A general re-organization and promotion board was carried out in this unit for efficiency and succession planning purposes.

Fleet

The Fleet Division is continuing to work on the fuel depot at Klyce Street, installers are wrapping up their work on the installation of the fuel tanks and dispensers; the finalization of this work should occur very soon as the last touches are being

applied before the installation itself can have its final inspection. Accompanying this project, a new fuel/fleet software system will be installed in parallel to modernize the internal services provided by this division so that the continued care and maintenance of vehicle and equipment assets can occur in the most efficient way possible.

Utilities

Utilities are working on the North Basin at the WWTP by removing biosolids from the basin after it was dewatered. The Sludge scrapper at the WTP has been delayed until spring in order to accommodate the switch-over to DelPac. Various grants are in the process of being applied for including the BRIC grant. The Purina sewer re-routing and the renovation of Railroad PS are being designed. A firm has been contracted to provide the necessary compliance information on the new EPA lead and copper rules. The chlorine conversion design work for both plants is nearing 90% complete.

CONSENT AGENDA:

- a. Approval and adoption of the November 21 Council meeting minutes.
- b. Approval and adoption of a resolution of commitment for the Lead and Copper Inventory and Replacement.

Utilities Manager Melinda Ward wrote in a memo: By October 16, 2024, all municipalities and private authorities are required to inventory their water lines for lead and copper and submit findings to the State and EPA. Upon any discovery of lead service lines, the City will be required to have a plan in place to either replace lines immediately or at least 10% a year, if the amount discovered is significant. There will also be requirements to provide filters to the customers for up to 6 months if lead service lines are present and being replaced. This is becoming a monumental task that we do not have sufficient resources to complete. To assist, we have procured the services of 120 Water who will help complete the inventory we have started and then finish identifying any unknown connections. There are currently funds available to help cover the costs of these efforts. It is required that a statement be given by the City of Eden City Council pledging a commitment to all other funding not covered by the grant received. For your consideration, you will find the following resolution.

RESOLUTION BY GOVERNING BODY OF THE CITY OF EDEN

WHEREAS, The City of Eden has need for and intends to construct, plan for, or conduct a study in a project described as the Eden Lead and Copper Inventory, and

WHEREAS, The City of Eden intends to request State loan and/or grant assistance for the project,

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

That the City of Eden, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Eden to make a scheduled repayment of the loan, to withhold from the City of Eden any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That Jon Mendenhall, City Manager, the Authorized Representative and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

Minutes of the December 19, 2023 meeting of the City Council, City of Eden:

That the Authorized Representative, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 19th day of December, 2023 at Eden, North Carolina.

By: Neville Hall, Mayor

FORM FOR CERTIFICATION BY THE RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Eden, North Carolina does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council of Eden, North Carolina duly held on the 19th day of December, 2023; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 19 day of December, 2023.

By: Deanna Hunt, City Clerk

c. Approval and adoption of a 6-month extension of the City-County Utility Agreement.

Ms. Gilley wrote in a memo: The City and County executed an extension agreement until January 1, 2024. Staff of both Boards have been in the process of negotiating that agreement over the past few months. City staff needs additional time to investigate the need for extension of the system. We anticipate being able to assess this by August 1, 2024. Staff is requesting that you approve an additional extension for the Agreement until August 1 or until an agreement can be enacted. We recommend that you adopt the Extension Agreement so that we can proceed with the finalization. If you should have any questions or concerns, please do not hesitate to contact me.

NORTH CAROLINA
ROCKINGHAM COUNTY
AMENDMENT AGREEMENT

THIS AMENDED CONTRACT AND AGREEMENT made and entered into this ____ day of _____, 2023 by and between the CITY OF EDEN, a municipal corporation chartered by the state of North Carolina (hereinafter referred to as "EDEN") and ROCKINGHAM COUNTY, a body politic of the state of North Carolina, (hereinafter referred to as "COUNTY").

WITNESSETH

WHEREAS, EDEN and the COUNTY have heretofore entered into an Agreement dated the 12th day of January 1998, amended the 11th day of January 2016, amended the 20th day of January 2023, amended the 2nd day of May 2023, amended the 5th day of June 2023 hereinafter collectively, referred to as the "Agreement" whereby EDEN agreed to provide long-term sewer services to the COUNTY at rates set forth in the Agreement;

WHEREAS, said Agreement is set to expire on January 1, 2024; and

WHEREAS, said Agreement and this Amendment Agreement are made pursuant to the authority of N.C.G.S. § 160A- 461 et seq.; and

WHEREAS, the COUNTY desires to continue to contract with the City to provide wastewater treatment for a portion of the County's wastewater collection system and EDEN desires to maintain the wastewater treatment works to receive the County's wastewater; and

WHEREAS, the Parties believe that it to be in their best interests to enter into this agreement solely for the purpose of providing additional time for study affording each stability during such negotiations as necessary in order to craft a long-term agreement for mutual benefit;

NOW THEREFORE, in consideration of the mutual promises and agreements herein contained and the benefits accruing to each party hereto, EDEN and COUNTY hereby agree that the following section of the existing Agreement dated the 12th

day of January 1998, as amended the 11th day of January 2016, the 20th day of January 2023, the 2nd day of May 2023 and the 5th day of June 2023 shall be modified replaced or added as follows:

1. The Agreement shall be, and hereby is amended and modified, effective as of the date hereof, as follows:
2. Article VI of the Agreement is hereby deleted in its entirety and replaced by a new Article VI to read as follows:

Article VI

Term

This Agreement shall be and remain in full force and effect for a period of 25 years commencing with the date of the execution of this Agreement. Expiration date being January 1, 2024. It is the intent of the parties that this Agreement shall contain an extension period until August 1, 2024 or until such time as an amended agreement has been executed, whichever occurs first.

IN WITNESS WHEREOF, the parties acting under authority of their respective governing bodies, have caused this Agreement to be duly executed, this the day and year first above written.

CITY OF EDEN

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

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

ANNOUNCEMENTS:

Mayor Hall said it was wintertime and there were not a lot of events going on but there had been and they were well attended. He appreciated everyone's support of the local economy. He wanted to again thank Bernie Moore for his service and friendship. He wished him well.

Council Member Underwood wished everyone a Merry Christmas and Happy New Year.

Council Member Ellis wanted to say hello to everyone and that he hoped to serve as Mayor Pro Tem for the next four years. He wished everyone a Merry Christmas. It was nice to see Sheriff Sam Page in the audience. He asked that everyone say a prayer for the judge in the hospital. He encouraged everyone to pray for each other, for the city, state and nation, as well that the City would prosper as it had in the past. He looked forward to serving.

Council Member Nooe said Javon Washington had contacted him about a dedication of the new United House of Prayer on December 23 at noon. Council and the Mayor had been invited, as well as staff and anyone else would like to attend. It was the building at the corner of Early Avenue and Bridge Street. It looked really nice.

Council Member Underwood noted there were events at 11 a.m. and at noon.

Council Member Ellis said the City was recognized on The Emmy Awards recently by Tabitha Brown, who was a Draper girl and a relative of Roosevelt Blackstock who he remembered as a child. Ms. Brown's father was the owner of Square Kutz on Washington Street. He was proud that Ms. Brown was so well known across the nation and that she thanked Eden was a positive. She was a blessing to so many. He congratulated her on her win. He hoped she heard that.

Council Member Epps said the House of Prayer was an asset to the City. The building was beautiful. He thanked God for being there on that corner and hoped they could reach souls.

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