

## CITY OF EDEN, N.C.

A regular meeting of the City Council, City of Eden, was held on Tuesday, February 20, 2024 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 Bruce Nooe Tommy Underwood Jason Wood
City Manager:	Jon Mendenhall
City Attorney:	Erin Gilley
City Clerk:	Deanna Hunt
Media:	Robin Sawyers, Rockingham Update Mike Moore, Mike Moore Media 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 Doug Diamond, First Church of the Brethren, gave an invocation followed by the Pledge of Allegiance led by Wyatt Ferguson, a fifth grader at Community Baptist School and son of Eden Police Officer Josh Ferguson.

RECOGNITION:

- a. North Star Realty for 25 years in business.

Mayor Hall called Boyd and Vonda Higgs, their family and staff forward, as well as Main Street Manager Ken White.

Mayor Hall said North Star Realty opened its doors in the Eden Mall in February 1999, five years after Boyd Higgs first received his realtor's license. Boyd's wife Vonda earned her realtor's license a couple of years after the business opened. The team relocated the realty company to several locations, before purchasing land on Meadow Road and building their permanent office headquarters. The North Star Realty team now included their son, Chris Higgs, as well as Frank Odell, Tom Harris and Brandon Evans. The North Star team prided itself on customer service and is committed to building long-term relationships with their clients. Those relationships had helped them thrive in Eden all these years and we could not be prouder to have them as part of the Eden business community. He thanked them for doing business in Eden and said the City hoped to celebrate with them in another 25 years. He presented them with a framed anniversary print.

Mayor Hall said he and Mr. Higgs had been friends a lot longer than 25 years. He was really proud of what Mr. Higgs had done in and for the community in all sorts of roles.

Ms. Higgs said the recognition was appreciated very much and the team enjoyed what they did.

SET MEETING AGENDA:

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

PUBLIC HEARINGS:

- a. Consideration to amend Chapter 13 of the Code of Ordinances to create a Social District in the Leaksville Business District.

City Attorney Erin Gilley wrote in a memo: City Staff presented a report on a proposed Social District for the Leaksville Business district to the City Council in November. At the meeting, a timeline was presented to the Council in which Staff would hold a public meeting with Leaksville area merchants, solicit input, and gauge participation. Letters were sent to every property owner/merchant in the Leaksville business district (proposed social district area) providing notification of the meeting to discuss social districts. This meeting was advertised to the public as a public meeting for any citizen to attend, ask questions, and voice concerns. The meeting was held January 8 at 6:00 pm at Five-Star Realty. Based upon the levels of participation, Staff prepared a map that designated the geographic boundaries of the social district. In addition, Staff held an Internal Technical Review Committee meeting and had an ALE Special Agent in Charge attend as a special guest to answer questions and provide guidance. Based upon the foregoing, Staff has provided a proposed ordinance, map and Maintenance and Operations Plan. These set forth the hours of the social district as: 12pm -8pm on Thursdays, Fridays, and Saturdays. One provision of the ordinance that was changed from how it was presented in November is that a permittee business (a business that serves/sells alcoholic beverages) will be able to decide whether it wants to allow alcoholic beverages purchased or obtained from another permittee business in the social district to be brought onto its premises. These businesses will need to designate if they allow this or not on their signage. Staff believes that there will be a minimal cost for trash receptacles and signage placed at the boundaries of the social district. If Council votes to enact this social district ordinance, the Staff will be required to submit the ordinance and plan to NC ALE for approval. Once approved by ALE, the City will be able to proceed with obtaining and installing proper signage. It will also communicate with all businesses in the area that they need to apply for a permit with the City to participate and obtain their proper signage. All of this must be in place in order for the Social District to begin its operation. Staff is asking for the City Council to consider this at the February meeting. Please contact me if you should have any questions or concerns.

Mayor Hall declared the public hearing open and called on Ms. Gilley, Planning & Community Development Director Kelly Stultz and Mr. White.

Ms. Gilley said Mr. White would give a PowerPoint presentation after she finished. In late summer 2023, Council requested staff to research social districts and bring back a report to Council. Staff researched and then presented a report on a proposed social district for the Leaksville business district to Council in November. At the meeting, a timeline was presented to the Council in which staff would hold a public meeting with Leaksville area merchants, solicit input, and gauge participation. Council gave consensus for staff to proceed. Letters were sent to every property owner/merchant in the Leaksville business district, which was the proposed social district area, providing notification of the meeting to discuss social districts. This meeting was advertised to the public as a public meeting for any citizen to attend, ask questions, and voice concerns. The meeting was held January 8 at 6 p.m. at Five-Star Realty on Washington Street. Based upon the levels of participation, staff prepared a map that designated the geographic boundaries of the social district. In addition, staff held an Internal Technical Review Committee (ITRC) meeting and had an ALE (Alcohol Law Enforcement) Special Agent in Charge attend as a special guest to answer questions and provide guidance to staff. Based upon the foregoing, staff provided a proposed ordinance, map, and maintenance and operations plan should Council vote to enact it. These set forth the hours of the social district as 12 p.m. to 8 p.m. on Thursdays, Fridays, and Saturdays. A public hearing was not required by law to enact the social district but it was on the agenda because staff wanted the public to know and hear about the idea, and to be able to comment on it.

**Leaksville  
Commercial  
Social District**

In September of 2021,  
Governor Roy Cooper signed into law  
Bill 890(HB 890)

This Bill allows local governments  
to create Social Districts.

**A social district is a  
defined outdoor area  
where alcoholic beverages,  
sold by a licensed establishment,  
may be consumed.**



Mr. White began the PowerPoint presentation. He said the first part of the presentation was reminding Council what they went over in November, so they were all on the same point. The difference in the first slide was that there was now a designated logo, which the district was required to have per state statute. It was designed in-house by City Clerk Deanna Hunt. He explained that a social district was defined as an outdoor area where alcoholic beverages, sold by a licensed establishment, may be consumed. It was only outside, not inside buildings, and was basically the sidewalks.



There had been three or four more enacted in the state since November. Lexington was getting ready to start theirs. There were closer to 50 social districts in the state.

**What a Social District IS NOT:**

- Does not create a right to break laws
- Does not encourage drunkenness in public or over consumption
- Does not encourage underage drinking
- Does NOT allow people to bring their own alcohol (NO brown bagging, etc.)



Mr. White explained a social district did not create a right to break laws. A person could still be arrested for being drunk in public. It did not encourage drunkenness in public, over consuming of beverages in public, or underage drinking. People were not allowed to bring their alcohol into the district. Beverages must be sold by someone in the district.

**The Why?**

- Responding to requests from the EDDI and Uptown Merchants, the Planning and Community Development Department was asked to research communities use of Social Districts.
- Uptown Eden offers a distinctive and vibrant Downtown experience in Rockingham County, setting us apart from the other surrounding communities. Nearby communities have already implemented or are exploring the establishment of a social district. Our Uptown is known presently for setting the bar for exciting events such as Riverfest, Oink and Ale and Ladies Night Out; we want to make sure we always stay relevant.
- The implementation of the Leaksville Commercial Social District will give Uptown Eden a unique opportunity to market us as an entertainment destination, as well as providing another layer to how we can economically stimulate our individually owned small businesses. The Social District will be able to promote new options that will bring regional and out-of-town visitors to Eden due to the diversity of offerings, as there are a variety of happenings for all types of visitors to enjoy.



The EDDI (Eden Downtown Development Corporation) and Uptown Merchants asked the Planning & Community Development Department to research social districts. Uptown Eden offered a distinctive and vibrant

downtown experience in the county, setting it apart from other surrounding communities. Nearby communities had already implemented or some were exploring the establishment of their own social district. Uptown Eden was known for setting the bar high with events like RiverFest, Oink & Ale and Ladies Night Out. The implementation of the district would give Uptown Eden another opportunity to provide another layer to events and shopping.

- Can I bring my own alcoholic beverage into a social district?**  
No. Participating location must have an ABC permit for on-site consumption as outlined in NCGS 18B-904.1(a).
- Can I take an alcoholic beverage in my social district cup home with me?**  
No. Cups should be disposed of in a nearby receptacle prior to exiting the social district.
- What if I am a retailer, and do not want alcohol inside my business?**  
All businesses located within the social district have the option to opt-out of the district. Signage indicating whether you are a participant in the social district or not will be posted.
- What happens if I leave the social district boundaries with an alcoholic beverage?**  
Individuals who leave the social district with an alcoholic beverage can be criminally charged.
- How will the social district be enforced?**  
Alcohol Law Enforcement (ALE) and local law enforcement have jurisdiction over the social district.
- How will the social district boundaries be marked?**  
Signage will be placed at all boundaries per state ordinance. Alcohol will not be permitted beyond the set boundaries describe in the local ordinance.
- How will participating business be identified?**  
Participating businesses will have window clings displayed to identify that they have opted to participate.

Mr. White explained these were the most common questions. Question: can I bring my own alcoholic beverage into the district? Answer: no, beverages must be purchased within the district. Question: can I take my beverage home? Answer: no, it has to stay in the district. Question: what if a retailer does not want alcohol inside their business? Answer: they opt out. Someone could only carry alcohol into a business that allowed it. Several businesses have said they would not allow it but those businesses were not set up as regular retailers, they tended to be financial institutions dealing with money and plans. Question: what happens if I leave the district with the beverage? Answer: you are breaking the law and you can be charged. Question: how will the social district be enforced. Answer: ALE and local police could enforce all the laws for the district. Question: how would the social district boundaries be marked? Answer: state statute clearly defined a description of the signs for every entrance and exit. The district would have seven. They were looking at a lot of signage that would be very clearly marked saying entrance to the social district or no alcohol past this point. Question: how would the businesses be identified? Answer: they would have a sticker on the door saying you are entering in a place that participates in the social district with the logo. The logo would be on all the signs and the cups as well.



Old  
Leaksville  
Tax  
District

The red outline on the map showed the MSD (Municipal Service District), the special tax district for the merchants. The social district was within the boundary, but not the complete boundary.



The slide showed the proposed map of the social district. There were already six businesses with ABC permits inside the district. The retailers who wanted to participate were inside the district. It was drawn with sharp boundaries in order to be easily contained. There were two bump outs at each end - on Bridge Street and on Patrick Street. The building at Washington and Bridge streets that belonged to Mr. Sharpe had three entrances, causing the bump out there. The entrance for what was going to be a restaurant at Washington and Patrick streets was around the corner on Patrick. Due to ALE regulations, patrons would not be able to enter from the patio area once it became a restaurant, which was why the entrance was around the corner.

Proposed Days and Hours:

Thursday  
Friday  
Saturday

12:00 pm - 8:00 pm



Mr. White explained the times picked for the proposed district were Thursdays, Fridays and Saturdays from 12 to 8 p.m. He was able to use the placer.ai data from the last 12 months to determine that those days and times were the three busiest days and times on Washington Street in Uptown Eden. Friday was the busiest, followed by Thursday and then Saturday. Visits trended up around lunchtime, stayed level and then went up between 5 and 7 p.m., dropping off shortly after 7.

Council Member Ellis asked if Mr. White meant that the businesses were busy at those times.

Mr. White said according to digital counts, those were the busiest traffic times. Those were the times when the most people were there, so typically yes. That was when the restaurants were busiest and the most shopping took place.

Council Member Underwood asked if any tax dollars from the City were going to fund the project.

Mr. White said yes, for the signage and trashcans.

Ms. Gilley said she did not state that in her opening statement but it was addressed in the Maintenance and Operations Plan that was in the packet. It stated that the City would be responsible financially for the trashcans and the signage at the boundaries.

Mayor Hall asked Ms. Gilley to read the policy for speakers, which she did, and he called forward in order the speakers who had signed up.

Melanie Paschal Wiles, owner of 617 Monroe St., said as everyone probably knew, she owned a business involving children ages 3 to 18. With that being the case, she was of course not a fully invested fan of the social district idea during her business hours. She understood that the social district, if implemented, would not include her property and she was thankful that change was made. The boundary would be just at the edge of her building. Of the days suggested, her main issue was Thursday as the district would be running during all hours she was open for classes. She was not open Fridays and Saturdays that season. The UNC Injury Prevention Research Center had done research on the impact of social districts on health. One statement of all hit home where her business was concerned. Youth were sensitive to advertising, normalizing and exposure to alcohol. Proximity of social districts to schools and teen social areas could negatively impact youth drinking behaviors. She taught 200 plus kids weekly with many coming to her facility multiple times in one week. Having the district running on a day they would open would advertise, normalize and potentially expose children to alcohol. They were told at the meeting that the hope was to create a rise in foot traffic and people staying longer, thus bringing more revenue to the merchants. She asked a question that evening – what the percentage was of the rise in revenue once the social district was implemented in the 42 cities with it. The question could not be answered as the data had not been collected. She felt that was an important piece of information to have before deciding. She also wanted to point out that her teenaged son who attended the meeting with her leaned into her and asked her to ask that question. A teenager who could see that more information was needed in such a decision. She, as a business owner, was concerned that if it were passed for a day she was open, she could potentially lose students due to the fact that parents would not want to bring their child into an area near a social district. There were many people who did not want their kids in or near anything to do with alcohol, which as a parent she completely understood. With that being said, there was potential, and she was not saying it would happen, that it could have a negative impact on her business and livelihood. She had been in business in the downtown area for 29 years – two years at 649 Washington St., five years at 636 Washington St., and 22 years in August at 617 Monroe St. Unfortunately, if there was a negative impact, she would be forced to consider a new location which was heartbreaking to even think about. It would mean 200 plus families would not have to come to the downtown area weekly for class in her studio. She had stayed in Eden and downtown because she loved it there. The number of times she had been asked why she had not opened between Eden and Reidsville was astronomical. As they knew and she knew, she could grow even more if she were located between both cities but she always said downtown Eden had been a blessing to her and she wished to never leave.

Julie Talbert, 3028 Indian Ridge Ct., said she was there to urge Council to approve the creation of the social district in the Leaksville business district. She believed commerce and economic development were critical in keeping the community vibrant, attractive and growing. The social district was a useful tool in achieving that end. Eden and Rockingham County were on the cusp of something great and they needed to be in a position to take advantage of that. They needed a town that had fun things to do and places to meet, eat, drink and be with friends. The social district would encourage business activity and as the greater Greensboro community moved north, like it or not, it was in Eden. They needed to have the ordinances in place to take advantage of that growth. Many other similar towns across the country were doing the same thing without dire consequences and so could Eden. Council knew her and knew she had been involved in many organizations whose mission was to make the community a better place to live. She, as well as her comrades there, liked to socialize and sometimes that involved alcohol. They were champions of Eden and what went on there. It would make their advocacy efforts much easier. She would like to tell them she did like to take a drink every now and then. She went to The Hive, MK and those places. She was not there about the alcohol, she was there about the economic growth, business and commerce on the Uptown streets. She loved this place, although she was not a native as she was from Mayodan. Far too frequently she was pained to hear people say Eden was stuck in the past and leaders did not

want to do anything to grow. Here was their chance to prove people wrong. She asked Council to please approve the social district.

Randy Hunt, 332 Jackson St., said he thought most of them knew how he felt about the social district. In November, he sent each of them a letter outlining some of the economic benefits of social districts and how they increased foot traffic, brought people downtown, spurred increased taxes and property values, and led to an increase in rent downtown. Currently, there were 42 cities with social districts and that did not include Brevard who added one week before last. Many of the towns were expanding their social districts to two to three areas. As Mr. White had mentioned at a previous meeting, little Mount Airy had expanded their social district. They knew Greensboro and larger cities would do that but to see some of the smaller towns grow was simply incredible. It was such a great economic development tool to have in the City's toolkit to help spur and entice people to come down and invest in the downtowns. There were a lot of leaders in the room who represented the downtowns. He had copies of three resolutions supporting the social district passed in July 2022, from the Uptown Eden Merchants Association, Historic Leaksville Municipal Service District, and the Eden Downtown Development Corporation. Any members on Council at that time would have seen those resolutions which he thought had been updated because there were different people. The support was still there and was with Council to support the district. It was low-hanging fruit. He told Council Member Underwood if it were a budget issue for the additional signage or trashcans, he thought the Leaksville Municipal Service District might help step up and take care of that.

Council Member Underwood said he would like to see that.

Mr. Hunt said he would be happy to answer any questions. He had been working on it two and a half years, since he had heard there were whispers of the legislation. It was important that it passed. It showed Council's support for the downtowns, merchants and for the young people they constantly heard about leaving because there was nothing to do. He urged Council to give the youth the opportunity to come back and have one more thing they might be able to do.

Josh Savage, 330 Highland Dr., said he was there in opposition to the social district and he had four reasons why. First was a public safety concern. He was a father of four children ages 11 to 14 and they spent a lot of time in the Uptown district. They liked Uptown Kicks and the coffee shop, and did a lot of things there. He grew up around alcohol and the ills that went with it. His concerns were that allowing public consumption would lead to an increase in drunk driving incidents, other accidents that involved alcohol, disorderly conduct and altercations. He knew there was a list of rules to hopefully negate some of that but everyone in the room knew once alcohol was introduced into a situation, sometimes cooler heads did not prevail. The Alcohol Rehab Guide published a report that linked public consumption of alcohol to increased incidents of crime in those specific areas, specifically spiking violent crimes like rape and murder. There were also health implications involved as well. Increased public health risks included spreading of disease through shared containers and increased emergency room visits due to alcohol-related injuries. There was a certain safety in confining alcohol to an enclosed space. He would like to echo what another person already said in that normalizing alcohol in front of minors and younger people was going to lead to an interest and inquisition about that and possibly partaking in that as well. That was a fear of his. It had an impact on vulnerable populations. It made it easier for an adult to go in an establishment and do something completely legal and walk outside that establishment and do something completely illegal with it. He knew there would be enforcement, he just thought it would make things much harder to enforce in that way. He knew they had talked a lot about the impact on local businesses in Uptown and he was for those businesses succeeding. While proponents argued the foot traffic would increase, they still had not heard any data on what that looked like as far as a monetary addition. The unintended consequence could be that the foot traffic they got may not be the foot traffic they wanted. He knew six people from Highland Drive who would not be downtown Thursdays through Saturdays from noon to 8 p.m. because he was not going to bring his children into a place where alcohol was glorified and normalized. Lastly, he thought the quality of life in his neighborhood would suffer. He lived on Highland Drive. When there were no leaves on the trees, they could see the Uptown district.

Litter and noise would be worse. It was going to make Eden an all around less improved place to be, he thought. Those were his concerns.

Tom Barbour, 810 Moncure St., said he ran Barbour Studio in downtown on Washington Street and he had been there over 30 years he thought or in business for that long. He had been working with the Main Street Program for a long time. He had been to most conferences and he and his wife visited a lot of different towns. He did not know if any of Council went to other small towns to visit because a lot of them had jobs and were unable to leave the area, and were doing all the extra work for Council on top of that. He and his wife traveled a lot on weekends and he had been to probably 14 social district towns. One of those was Black Mountain, N.C., near a college. In any instance when he had been there during hours the social district operated, he had not seen a single incident. Because he was interested in getting Eden's downtown to participate as well, he thought to ask people when he went into the businesses whether it had helped. He was giving Council his word that he had not heard any negative thing from any business owner in the towns they had visited. He had not seen any problems on the streets. They were there at night as well when there was more activity on the streets. Some people had cups. Some were walking with people without cups. That was something to think about too. If someone were having dinner in a restaurant downtown and decided to go to a retail store to see what they had to offer, the person could get their cup, go up the street, maybe with a friend who may be a non-drinker. It happened that people liked to socialize and for him it was a great thing for downtown. They had seen more growth in the downtown in the last 10 years than he had seen in the 40 years he had lived in Eden. If they stepped back and did not go along with some of the things that helped towns grow – this being one of them – he thought they would be going in the wrong direction. He was pleading with Council to think about the good out of it and the growth the businesses would have, and that was who wanted it was the businesses downtown. It helped them and they could look forward to the business growing. He looked forward in the end for a lot of businesses who were not open after 5 p.m. to start staying open because they would see traffic in the downtown that would give them a reason to want to grow more.

Steve Grill, 514 Patrick St., said he and his wife had a business at 705-A Washington St. where they had been open just about a year. They had lived in town for three and a half years and in that time he had seen tremendous growth in the downtown Leaksville area. When they got here, there really was not that much going on. Since that time, the community had worked together and grown the downtown area. From his business perspective, the block they were on would be greatly improved by inclusion in the social district. Customers would have the opportunity to attend multiple dining establishments and then be able to go to at least four other businesses on that block where they could go talk and shop just by being in that area and being allowed to go outside. He thought it would show great improvement in both ends of the Washington Street area. He looked at it as a positive for the community and for the growth of the community going forward.

Mayor Hall asked if there was anyone else in the audience who wanted to speak in favor or in opposition.

Council Member Nooe said when discussing the financing, nothing was mentioned about law enforcement and additional costs. He asked if there were no additional costs expected for law enforcement.

Police Chief Paul Moore said at that time, there were no projected additional costs although they could not look into the future and did not know what it would look like. Staff did not know if there would be or would not be increased call volume. At the present time, there would be no additional law enforcement costs.

Council Member Nooe said ALE had been mentioned. His understanding was they would only come out after an issue. He asked if it was true they would not be downtown looking around for any violations.

Chief Moore said he would not expect it. He was not saying they had never come to town over the past year.

Mayor Hall said they were in Eden a lot doing undercover stuff, checking IDs and in bars all the time.



Chief Moore said he did not know how much ALE would be in on the venture. He was sure they would continue to regulate the businesses as they were in town. His department did a lot of the ALE checks themselves.

Council Member Underwood asked Chief Moore if he recalled their conversation when the issue first came about and he asked Chief Moore if he would need any additional help and Chief Moore said he would have to ask for four more officers.

Chief Moore said yes. At that time, it was his understanding that the department was going to maintain staffing levels at that site which would have required two at a time off-duty personnel.

Ms. Gilley said ALE's Special Agent in Charge attended the ITRC meeting. In the meeting, Chief Moore had asked about concerns and risks. That was one reason the hours were as proposed – to end at 8 p.m. Staff felt that was a good way to minimize risks. If there were calls, they may likely happen after 8 p.m. Staff felt that was a good way to mitigate if there might be anything like that.

Council Member Nooe asked Ms. Gilley what would be required to reverse the decision if there were issues and Council wanted to act on it.

Ms. Gilley answered in the same way it was enacted. She had said initially that a public hearing was not required so it would not be required to rescind the ordinance. Council could call a meeting, call the ordinance and have it rescinded.

Council Member Nooe asked if it could be done by a special meeting if they wanted to really take care of it quickly.

Ms. Gilley said yes. She would say in order for it to get started, staff had to notify ALE for the ordinance to be approved but she did not think there was a requirement that the City had to notify them to stop it.

Council Member Ellis asked if Jean Harrington Park at Henry Street could be removed from the district.

Ms. Gilley verified that he would like it removed from the map and not included in the social district.

Council Member Ellis said yes.

Ms. Gilley said that could certainly be done. GIS Analyst Debra Madison had created the map based on participation levels so it was just a matter of unshading that area.

Mr. White had copies of the map with the park removed and handed those out to Council.

Mayor Hall addressed Chief Moore and said there had been discussion about having him return to Council with an update in three months; however, he would prefer to be made aware if incidents occurred.

Chief Moore said absolutely. That was something he would immediately notify the city manager about and in turn notify Council.

Mayor Hall said he did not think they needed to know if someone was caught with a cup and written a ticket but if there was a fight or shooting, he asked they be notified of repeated offenses.

Council Member Ellis said he was sure the foot traffic would follow the traffic signals and crosswalks and not dart into traffic. He asked if that was correct.

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Mr. White said the laws of the social district did not change any of the other laws. Patrons still had to obey all traffic laws and crosswalks.

Council Member Underwood said 90 percent of the citizens who had spoken with him about the social district said they would not patronize the businesses during the social district hours. He also asked a couple of months ago to have a special meeting for the citizens and it had not happened.

Mayor Hall said there had been one and the present meeting was one as well.

Council Member Underwood said he was referring to a special called meeting.

Mayor Hall said they did have one.

Council Member Underwood said it was not publicized and the other meeting was not publicized.

Mayor Hall said yes it was.

Mr. White said the merchant's meeting was publicized as an open meeting and the current meeting was publicized through normal procedures.

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

Council Member Nooe made a motion to deny the amendment to Chapter 13 of the Code of Ordinances. Council Member Epps seconded the motion. Council Members Nooe, Underwood and Epps voted in favor of the motion to deny. Council Members Wood, Light, Ellis and Kirkman voted against the motion to deny. The motion failed with three votes in favor and four against.

Mayor Hall declared the motion defeated.

Council Member Light made a motion to amend Chapter 13 of the Code of Ordinances to create a social district in the business district of Leaksville as written with an exception to remove Jean Harrington Park. Council Member Ellis seconded the motion.

Council Member Nooe made a substitute motion to amend Chapter 13 of the Code of Ordinances to create a social district in the business district of Leaksville as written with exceptions to remove Jean Harrington Park and with the hours restricted to Saturdays only until Council could see how it worked out. Council Member Underwood seconded the motion. Council Members Nooe and Underwood voted in favor of the substitute motion. Council Members Epps, Wood, Light, Ellis and Kirkman voted against the substitute motion. The substitute motion failed with two votes in favor and five against.

Mayor Hall declared that the substitute motion failed and asked for a vote on Council Member Light's motion.

Council Members Wood, Light, Ellis and Kirkman voted in favor of Council Member Light's motion to amend Chapter 13 of the Code of Ordinances to create a social district in the business district of Leaksville as written with an exception to remove Jean Harrington Park. Council Members Epps, Nooe and Underwood voted against the motion. The motion carried with four votes in favor and three against.

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

WHEREAS, the North Carolina General Assembly enacted legislation in 2021 and clarifying legislation in 2022 allowing municipalities to designate social districts within their jurisdiction to allow alcoholic beverages sold by licensed premises to be consumed within the district, outside of the establishment where the beverage was purchased; and

WHEREAS, the City of Eden, the downtown Leaksville Merchants Association and the Eden Downtown Development Inc., have worked together to propose a social district in the Leaksville commercial district; and

WHEREAS, the aforementioned community partners believe that a social district is a valuable tool to increase economic activity and the vibrancy of the Leaksville commercial district; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that Chapter 13 of the Eden City Code is amended to add subsection C to § 13 -9 as follows:

§ 13-9 CONSUMPTION OR POSSESSION OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY.

It shall be unlawful for any person to consume alcoholic beverages on property owned or occupied by the City except as provided below:

C. Pursuant to a Social District created and regulated under the authority of NC GS § 160A-205.4, NC GS 18B- 300.1 and this Article of the City of Eden Code.

1. Purpose and Intent

(A) Pursuant to the provisions of NCGS §160A-205.4, et seq., one or more social districts may be created within the City and the City hereby creates and designates the following social district: The Leaksville Social District which is designated as shown on a map dated February 20, 2024; the map is available in the Office of the City Clerk, and signage and/or markings shall be posted clearly delineating the boundaries of the Social District. Notwithstanding the map dated February 20, 2024, all City of Eden publicly owned and operated parking areas will be excluded from the Leaksville Social District. These parking areas will be clearly designated on the map of the Social District and signage shall be posted.

(B) The Leaksville Social District shall be created, designated, and managed in accordance with the requirements contained in G.S. §160A-205.4 and Chapter 18B.

(C) Any person who violates this subchapter, and any person who aids, abets, encourages, assists in, or contributes to such violation, shall be guilty of a misdemeanor in accordance with existing and applicable laws set forth by the State of North Carolina and ordinances in the City of Eden.

2. Definitions.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“CUSTOMER.” A person who purchases an alcoholic beverage from a permittee that is in or contiguous to a social district.

“NON-PERMITTEE BUSINESS.” A business that is located in or contiguous to a social district and does not hold any ABC permit.

“PERMITTEE.” A person holding any of the following ABC permits issued by the North Carolina Alcoholic Beverage Control Commission established under GS § 18B-200:

- i. An on-premises malt-beverage permit issued pursuant to GS § 18B-1001(1).
- ii. An on-premises unfortified wine permit issued pursuant to GS § 18B-1001(3).
- iii. An on-premises fortified wine permit issued pursuant to GS § 18B-1001(5).
- iv. A mixed beverages permit issued pursuant to GS § 18B-1001(10).
- v. A distillery permit issued pursuant to GS § 18B-1100(5).

“PERSON.” An individual, firm, partnership, association, corporation, Limited Liability Company, other organization or group, or other combination of individuals acting as a unit.

“PREMISES.” A fixed permanent establishment, including all areas inside or outside the permitted establishment, where the permittee has control through a lease, deed, or other legal process.

“SOCIAL DISTRICT.” A defined outdoor area in which a person may consume alcoholic beverages sold by a permittee. This term does not include the permittee’s licensed premises or an extended area allowed under N.C. G.S. 18B-904(h). A social district may include public streets, or crosswalks, whether or not the streets are closed to vehicle traffic.

3. Application.

(A) The provisions and terms contained in this subchapter shall be applicable between the hours of 12:00 pm and 8:00 pm Thursday-Saturday. At all other times, the provisions and terms contained in this subchapter are not in effect and all provisions of State and local laws concerning the possession and consumption of alcohol shall be in full force and effect.

(B) Any alcoholic beverage purchased for consumption in The Leaksville Social District shall (i) only be consumed in The Leaksville Social District and (ii) be disposed of before the person in possession of the alcoholic beverage exits The Leaksville Social District unless the person is reentering the licensed premises where the alcoholic beverage was purchased. Notwithstanding the foregoing, a permittee or non-permittee business may allow a customer to possess and consume on the business's premises alcoholic beverages purchased from a any permittee in the social district. A violation of this section is a Class 3 misdemeanor.

4. Requirements for sale of alcoholic beverages.

A permittee located in or contiguous to The Leaksville Social District may sell alcoholic beverages for consumption within The Leaksville Social District in accordance with the following requirements:

(A) The permittee shall only sell and serve alcoholic beverages on its licensed premises.

(B) The permittee shall only sell alcoholic beverages for consumption in The Leaksville Social District in a container that meets the following requirements:

- i. The container clearly identifies the permittee from which the alcoholic beverage was purchased.
- ii. The container clearly displays a logo or some other mark that is unique to The Leaksville Social District.
- iii. The container is not comprised of glass.
- iv. The container displays, in no less than 12-point font, the statement, “Drink Responsibly – Be 21.”
- iv. The container shall not hold more than 16 fluid ounces.

(C) The permittee business may allow a person to possess and consume on its licensed premises alcoholic beverages sold by another permittee within or contiguous to the Social District if it designates and displays appropriate signage at its entrance points.

5. Requirements for possession and consumption of alcoholic beverages.

The possession and consumption of an alcoholic beverage in The Leaksville Social District is subject to all of the following requirements:

(A) Only alcoholic beverages purchased from a permittee located in or contiguous to The Leaksville Social District may be possessed and consumed.

(B) Alcoholic beverages shall only be in containers meeting the requirements set forth in PREVIOUS SECTION of this subchapter.

(C) Alcoholic beverages shall only be possessed and consumed during the days and hours set forth in APPLICATION SECTION of this subchapter.

(D) Nothing in this subdivision shall be construed as authorizing the sale and delivery of alcoholic beverage drinks in excess of the limitation set forth in GS §18B-1010.

(E) A person shall dispose of any alcoholic beverage in the person's possession prior to exiting The Leaksville Social District unless the person is reentering the licensed premises where the alcoholic beverage was purchased. Notwithstanding the foregoing, a permittee or non-permittee business may allow a customer to possess and consume on the business's premises alcoholic beverages purchased from any permittee in the social district

(F) A violation of this section is a Class 3 misdemeanor.

6. Responsibilities of Non-Permittee Businesses.

A non-permittee business that is part of a social district and that allows customers to bring alcoholic beverages onto its premises shall not be responsible for enforcement of this Chapter. All non-permittee businesses that are part of a social district and that allow customers to bring alcoholic beverages onto their premises shall clearly post signage on any exits that do not open to the social district indicating that alcoholic beverages may not be taken past that point. During the days and hours when the social district is active, a non-permittee business that allows customers to bring alcoholic beverages onto its premises shall allow law enforcement officers access to the areas of the premises accessible by customers.

7. Exceptions.

When a Parade or Special Event pursuant Article VII, Chapter 9 of the City of Eden Code is held anywhere within the boundaries of the Leaksville Social District and such event has been specifically authorized by the City of Eden, the regulations found within the Eden City Code § 13-9 (A) shall supersede the provisions of this section. During the city authorized Special Event or Parade, the provisions and terms contained in this Section § 13-9 (C) are not in effect, the Special Event Permit and the state and local laws concerning the possession and consumption of alcohol shall be in full force and effect.

8. Severability.

If any section, phrase, sentence, or portion of this subchapter is held void, invalid, unconstitutional, or unenforceable for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision; and such holding shall not affect the validity of the remains portions thereof.

APPROVED, ADOPTED AND EFECTIVE, this 20 day of February, 2024.

CITY OF EDEN

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

ADOPTED MAP (with Jean Harrington Park removed):



REQUESTS AND PETITIONS OF CITIZENS:

Chrissy Griffin, 317 Cherokee Camp Road, Wentworth, had signed her time over to the following speaker.

Maryjane Webb, 317 Cherokee Camp Road, Wentworth, said she was currently chair of the Board of Directors for Help, Inc., and the Square One Family Justice Center in Rockingham County. Some may be familiar with their services and some may not. She had been with the agency off and on for almost 30 years, from being a victim to being a special victim's investigator with local law enforcement. In the audience were one of the executive directors and a current board member, as well as several people there who may be potential board members in the next few months or so. Ms. Griffin had provided Council with some information about the agency and she would not read that to them as she thought they could read it and understand basically what the agency was about. She wanted to ask Council a couple of questions and see if they knew the answers to them. Council could either participate or not but she hoped it might bring awareness to some of the questions Council may have about services the organization may be able to assist with. Basically, they provided services to victims of domestic violence, sexual assault, child and elder abuse and exploitation, and human trafficking. While those were the least fun conversations to have about things that took place in the community, what was important about some of the information that had been provided for Council was that of the several thousand clients they had served in the last year, 32 percent of those people came from the City of Eden. The City had never provided any support for the organization. The organization's support generally was from grants. They also had local, private donations and fundraisers, things of that nature. Most importantly, where the funding came from did not affect the client base at all because the clients did not pay for any of the services provided. She wanted to ask some common questions, some of which had been brought up earlier in the meeting. What if the statistics of having an alcohol district in the city increased the incidences of domestic violence or sexual assault? Where would they recommend those individuals go to seek support, services and things that they may need to recover? Where would law enforcement suggest men or women be referred for services in order to get any type of resolution if law enforcement responded to those locations and they had interactions with individuals who may have had a domestic in downtown Eden and they do not decide that there is necessarily an aggressor or anyone who needed to be charged with a crime? That situation did not stop that night. It continued on when they got home. That may be in the City of Eden or it may be in the county. What if you were going through your local bank line and the individuals outside the door were engaged in a domestic and there was a small child standing next to them? She asked if they would intervene, call law enforcement or make suggestions. You go home and worry about that individuals but then what happens? The City of Eden actually had a DV-related homicide recently. Where do people go who are either victims of those crimes or where do those families go to make sure individual things like helping pay for funeral expenses are handled through the N.C. Victims Funeral Program? Who helps coach them through that process? Which agency in Rockingham County takes care of victims of child abuse or sexual assault, ones that require forensic interviewing or need DSS referrals? Which agency took care of those? She asked how many had a college student in the last ten years or had one coming up in the next couple of years. There was a college campus in the county. She asked if they knew how to have a conversation with their students or their children if they had a college student come to them – male or female – and they had been a victim of sexual assault, which was a high risk in local community colleges across the state and the nation. She asked which agency helped support those individuals. There were motels in the City of Eden. Motels were a common place for human trafficking to take place. She asked if there was human trafficking at local high schools. She asked how they would support their teachers and students in those situations. Where would someone go to seek services and teachers get support if a child were in a house and they saw violence or some type of major incident, whether it be assaults or their house burned down or any type of major incident where law enforcement responded, and the children in those locations reacted the next day. Was the student able to take a test or go to class? She asked how teachers and counselors were notified when children struggled outside of school hours. She asked if Council was able to answer all those questions and said if not, the answer to the questions was not just Help, Inc., and Square One Family Justice Center. They recently built a brand-new beautiful building on Cherokee Camp Road in Wentworth below the animal shelter. It housed not just Help, Inc., but agencies from across the county who they had contact with and they had traveled across the nation to look at other justice centers and how they handled their community. The organization had community partnerships with individuals who could answer every one of

those questions under one roof. Someone walked through the front door and met with a navigator who was able to answer those questions for them. They would like the City to keep them in mind that year or in the future to be included in the budget, whether financially or through special projects. She encouraged Council to come to the building at 317 Cherokee Camp Rd. and tour the 24/7 facility which included a crisis shelter.

Council Member Underwood said he attended the ribbon cutting and toured the building then. It was a very nice facility. There was a need. He would like to see the City try to help them out.

Ms. Webb said at the time of the groundbreaking, the shelter was not fully functional. They were currently partnered with USDA and N.C. Housing & Finance because they did have a 24-hour a day, seven days a week crisis shelter so they were a residential facility as well. That was not quite up and going then but it was now fully up and going.

Mayor Hall thanked the organization for their much-needed services.

UNFINISHED BUSINESS:

There was none at this time.

NEW BUSINESS:

There was none at this time.

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.

Council Member Underwood said he did not know about the rest of Council but he got a lot of complaints about the speed limit on Meadow Road. He asked if there was anything that could be done to put it back the way it was. He felt he needed to ask because of the amount of complaints he had received.

Mr. Mendenhall said staff would have to do a little research on that. The request was made by the City several, several years ago and had been in process for some time. DOT finally took care of it in the last 90 to 100 days. The request had been to lower the speed limit due to some traffic fatalities and other incidents occurring on Meadow Road. In order to have it raised back up, it would have to be taken up by Council to do that.

Council Member Underwood said he understood there were two fatalities on that road that he was familiar with. If the speed limit had been 10 miles per hour, they would still have occurred because of reckless driving.

Council Member Ellis said he traveled that road daily and had noticed the lowered speed limit. When the change happened, the police were giving warnings in the area. He would like to keep the limit at 35 miles per hour and not go up to 45. It was all residential from the bridge on. There was a lot of school traffic around Pierce Street. Residents were happy with the change and he did not want to see it go back up.

Council Member Underwood said that was Council Member Ellis' opinion, just like he had an opinion. It was a four-lane road. Stadium Drive and Summit Road were both two lanes at 45 miles per hour. It just did not make sense to him for Meadow Road to be 35 miles per hour.

Council Member Ellis asked for a study to change Stadium Drive from 45 to 35 and for it to be publicly known.

Mayor Hall said he thought the whole distance that changed from 45 to 35 doing the speed limit both ways was about 40 seconds difference. He could promise the police were happier it was lower.

Council Member Nooe said traffic pulling out of Country Club Drive would be happy it was lower as well.

Mayor Hall agreed and said there were buses and increased industrial traffic. The City did not lower it just to be doing it, they had all sorts of reasons. He understood people were in a hurry. He told Council Member Underwood his point was taken that he would like to look into raising it back up.

City Manager's Report  
February 2024  
City Manager Jon Mendenhall

## ADMINISTRATION

### Marketing & Communications Office

Mark your calendars for Saturday, April 27 for our 2nd Annual Native American Youth Powwow. Doors open at 10 a.m. at the Morehead High School Gymnasium with the grand entrance beginning at noon. Entry is free. More detailed information will be coming soon! You do not want to miss this very special event!

**CALLING ALL POTTERS!** We are now taking potter applications for our 21st Annual Piedmont Pottery Festival coming up on Saturday, June 1 at the First Presbyterian Church. Please email [cadams@edennc.us](mailto:cadams@edennc.us) to get your application.

Our Spring Grown & Gathered set for Thursday, May 16 has already **SOLD OUT!**

## PARKS & RECREATION DEPARTMENT

### Recreation Division

Bridge Street Recreation Center: Bridge Street Recreation Center stays busy with daily walkers, fitness classes. Prowler Basketball are having practice 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 can come play basketball.

Freedom Park: We have removed the playground at Freedom Park and the grading has been completed.

Senior Center: The seniors are staying busy with daily activities.

## 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 January 1- January 31, 2024

Total Local Code Inspections Performed	17
Local Code Notices Sent	5
Local Codes Abated	7

### Permits



Building and trade permit applications are received in person, via e-mail and by fax then issued from the Planning Dept. 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 January 2024

Total Inspections Performed	174 (Does not include fire inspections)
Total Permits Issued	85

POLICE DEPARTMENT

The final two Durangos are in the final stages of upfitting and are expected to be in service by the end of next week.

Timothy Knight and Blake Pulliam have been sworn in and are now working as Eden Police Officers. We are awaiting certification approval for Emmanuelle Wilts.

Isaac Bibee's paperwork is being reviewed by CJ Standards and we are expecting to have more information on his process in March.

The roll out of the certification pay increases for officers has been initiated and officers are showing great appreciation.

FIRE DEPARTMENT

The Fire Department responded to 68 calls for the month of January. The Fire Marshal completed the 30 of inspections for January. Chief White attended the state-level instructor qualification school and passed. Chief White can now teach firefighter certification classes for the state. These classes can also be taught in-house at the City of Eden Fire Department for possible employment.

PUBLIC WORKS DEPARTMENT

Streets

Maintenance activities have focused on patching (based on asphalt plant availability) and smaller concrete patch work that was delayed due to the two large projects Monroe Street and the fuel depot. We are currently working on our street signs and traffic signs maintenance program. Maintenance have removed 28 bags of litter from our City streets. Maintenance is preparing to start picking up yard waste (grass clippings) starting in March.

Construction

Construction has replaced the cross drain on Carolina Avenue at Hundley Street. They have added to the parking/drive area at the new fuel site. Construction has also repaired and smoothed up Matrimony Creek Trail where the creek had over washed it. They have cleaned the silt/sand off the parking lot under the bridge at Leaksville Landing. They have installed the 80' of 2" water main on Hunter Lane tied to the new 6" on Circle Drive. Construction will get this new water main online when we get above freezing weather. Coming up we will be repairing the sheer that occurred on the trail/outfall from Hamilton Street to Bridge Street. They also have a couple of different drainage issues to take care of. One on Kennedy Street and another on Jefferson Street. Construction will be up grading drainage on Meadowgreen Village Drive and starting on the driveway for MGM pump station.

Collections & Distribution

The Collections & Distribution Division is continuing the proactive work on waterline and sewer line maintenance. Currently 7864.50 ft YTD of sewer lines have been cleaned/flushed. Water leaks in January totaled 24 which is a slight increase from December.

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 386.02 tons. The amount of vegetative tonnage (brush) collected in January was 65.45 tons while bulk waste tonnage collected was 153.60 tons.

Fleet

The Fleet Division has finished the work on the fuel depot at Klyce Street. It is now in use.

Utilities

The SEID grant was submitted for the Purina sewer relocation project, and the BRIC grant has been submitted for the siphon and greenway project. The contract is over with Stoneville since they have hired a Public Works Director. Staff is reviewing the first set of plans for the Purina sewer relocation project. The water plant is scheduling a time for the flocculator to be replaced and the mixer to be repaired. The pretreatment permit for Purina has been approved by the State, and they have begun discharging some process water.

CONSENT AGENDA:

Mayor Hall noted a typo in the memo under 12c. The second sentence “for the LLP for the year ending June 30, 202” should be “2023 instead” – he asked Finance & Personnel Director Tammie McMichael if that was correct. It was only on the memo and not anything to do with the contract.

Ms. McMichael replied yes.

- a. Approval and adoption of the (1) January 16 regular and (2) January 25 special meeting minutes.
- b. Approval and adoption of a resolution to accept ARPA funding.

Special Projects Manager Terry Shelton wrote in a memo: The attached resolution is for Council to accept a \$400,000 grant offer from the State to do preconstruction engineering work on the evaluation of the Railroad and Covenant Branch Force Mains. Staff requests Council authorize us to move forward with the necessary paperwork for the grant acceptance. The City has encountered numerous failures in the last few years of the force main pipes of the Railroad and Covenant Branch Force Mains. The ruptures or breaks typically have been attributed to thinning of the pipes due to hydrogen sulfide gas creating an acidic reaction which the inside top of these pipes. This grant will allow us the opportunity to have an engineering firm evaluate the piping currently in service and to plan a course of action for the rehabilitation of these force mains where it is needed. When the final report is completed, we will know where the problems are, have a plan of action to address the problems, and a general estimate of the costs to make repairs. Once this project is complete, we can plan to make repairs as funding becomes available. We would use this evaluation project report as a guide to plan the future rehab work. Having this preconstruction evaluation project done should also aid in applying for funding to do the actual rehabilitation much faster as a shovel-ready project can be prepared quickly when the time is right. Staff requests Council approve this resolution to accept this offer of funding and authorize staff to get started with this engineering evaluation planning grant.

City of Eden Resolution Acceptance of ARPA Grant Offer

WHEREAS, the American Rescue Plan Act (ARPA), funded the State Fiscal Recovery Fund, was established The Session Law (S.L.) 2021-180 to assist eligible units of government with meeting their drinking water and/or wastewater needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered Pre-Construction Planning Grant ARPA funding in the amount of \$400,000 to perform the work detailed in the submitted application, and

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

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

That the City of Eden does hereby accept the ARPA grant offer of \$400,000; and

Minutes of the February 20, 2024 meeting of the City Council, City of Eden:

That the City of Eden does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Funding Offer and Acceptance (award offer) will be adhered to; has substantially complied, or will substantially comply, with all Federal, State of North Carolina (State), and local laws, rules, regulations, and ordinances applicable to the project; and to federal and State grants and loans pertaining thereto; and

That Jon Mendenhall, City Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the North Carolina Department of Environmental Quality, Division of Water Infrastructure.

Adopted this the 20th day of February, 2024 at the City of Eden, North Carolina.

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

c. Approval to award the FY 2023-2024 Audit Contract to Rouse, Rouse, Rouse, and Gardner, LLP.

Director of Finance and Personnel Tammie McMichael wrote in a memo: We are seeking approval for the FY 23-24 Audit Contract. Please find attached an audit contract submitted by Rouse, Rouse, Rouse & Gardner, LLP for year ending June 30, 202. The contract amount is \$52,500.00. The City of Eden paid \$52,495 in FY 22-23. The Rouse's and their staff have been doing the city's audit for 43 years. Their love and compassion for the City of Eden shows in their willingness to assist in any way that they can to make sure the city's finance department operates in the most efficient and effective way to provide accurate financial information. They have always been very faithful and dedicated to the city. We call on them for assistance with day-to-day questions that come up or for special projects. They never bill us for anything extra. It is very nice to know that we have someone we can call anytime, and they always have time for us. If they do not have the answer immediately, they never refer us to someone else. They always take the time to make telephone calls on the city's behalf. They look after the city's best interest in making sure that we get the answers that we need. They keep us updated on Governmental Accounting Standards Board and Internal Revenue updates. They also keep us updated on any classes/seminars that they feel would be beneficial to the finance staff. Based on their experience and dedication along with the city's desire to do business locally; I cannot make a better recommendation than to award the 23-24 audit contract to Rouse, Rouse, Rouse & Gardner.

d. Approval and adoption of Budget Amendment 5.

Assistant Director of Finance Amy Winn wrote in a memo: The attached budget amendment closes out the Metro Pump Station fund due to the completion of this project. The remaining fund balance of \$50,400 will be transferred to the Water & Sewer fund. The Water & Sewer fund initially transferred \$209,000 to the Metro Pump Station fund but only \$158,600 was need to complete the project.

Subject: Budget Amendment # 5

	Account #	From	To	Amount
<b>Metro Pump Station Expenditures</b>				
Metro Pump Station Contingency	34-8130-99100	\$ 111,500.00	\$ 61,100.00	\$ (50,400.00)
Metro Pump Station Transfer to WS	34-8130-54000	\$ -	\$ 50,400.00	\$ 50,400.00
				<u>\$ -</u>
<b>Water &amp; Sewer Revenues</b>				
Transfer from Metro Pump Station	30-3986-98400	\$ -	\$ 50,400.00	\$ 50,400.00
<b>Water &amp; Sewer Expenditures</b>				
WS Contingency	30-9990-99100	\$ 500,000.00	\$ 550,400.00	\$ 50,400.00

Closes out Metro Pump Station Fund.

Adopted and effective this 20th day of February, 2024.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

e. Approval and adoption of Budget Amendment 6.

Ms. Winn wrote in a memo: The attached budget amendment allocates funds received from the State of North Carolina for Unauthorized Substance Excise Tax. These funds are generated due to cases that are worked by the Eden Police Department. The Police Department will use these appropriated funds to purchase a drone and battery.

Subject: Budget Amendment # 6

	Account #	From	To	Amount
<b>General Fund Revenues</b>				
Police Unauthorized Substance Tax	10-3431-41800	\$ -	\$ 11,000.00	<u>\$ 11,000.00</u>
<b>General Fund Expenditures</b>				
Police Departmental Supplies	10-4310-29100	\$ 40,000.00	\$ 51,000.00	<u>\$ 11,000.00</u>

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

Adopted and effective this 20th day of February, 2024.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

f. Approval and adoption of Budget Amendment 7.

Ms. Winn wrote in a memo: The attached budget amendment appropriates fund balance from the Runabout Travel Fund to cover Senior activity expenditures.

Subject: Budget Amendment # 7

	Account #	From	To	Amount
<b>Runabout Travel Fund Revenues</b>				
Fund Balance Appropriated	25-3991-99100	\$ -	\$ 5,000.00	<u>\$ 5,000.00</u>
<b>General Fund Expenditures</b>				
Runabout Travel Expense	25-9100-31200	\$ 23,000.00	\$ 28,000.00	<u>\$ 5,000.00</u>

Appropriates fund balance for Senior activities.

Adopted and effective this 20th day of February 2024.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

g. Approval and adoption of an ordinance to proceed with legal action and to effectuate the purpose of the Human Habitation Standards on Black Bottom Road.

Ms. Gilley wrote in a memo: At the December City Council meeting, the City Council authorized the City Attorney to begin legal action to enforce the City of Eden Human Habitation Standards with respect to a structure on Black Bottom Road, PIN 7969-08-89-1039, Parcel No. 133169. City Staff presented to the City Council at the December meeting, the violations found at this property and instructed the Council that the City of Eden UDO 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. Such ordinance is attached to this memo for adoption by the City Council. In order to enforce the City Human habitation standards and proceed with legal action, Staff is asking you to adopt the ordinance. Please contact me if you should have any questions or concerns.

AN ORDINANCE AND ORDER  
 TO PROCEED TO EFFECTUATE THE PROPOSE OF THE HUMAN HABITATION STANDARDS OF THE CITY OF  
 EDEN UNIFIED DEVELOPMENT ORDINANCE ON BLACK BOTTOM ROAD  
 (PIN 7969-08-89-1039; PARCEL NO. 133169)  
 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 6th day of September, 2023, the Director of the Planning and Community Development Department caused an examination of the dwelling owned by Annabell Dalton Heirs, including, but not limited to, Joe Dalton, Roy Dalton, Sheila Dalton, William Dalton, Jonathan Dalton, Rainie Dalton, Roger Dalton, Lawanda Dalton, Sandy Dalton, Martha Dalton, Mary Dalton, Carolyn Dalton, Patricia Dalton, Calvin Dalton, Swanson Dalton, Norman Dalton, Deloyce Dalton, George Dalton, Robert Dalton, Willie Dalton, and Gloria Dalton, together with all assignees, heirs at law and devisees of the before stated heirs that are deceased, on an unnumbered lot on Black Bottom Road identified as PIN 796908891039 and PIN 133169, including any accessory structure and found it to be unfit for human habitation, that said property is more particularly described as follows:

BEGINNING at a point on the west edge of Pratt Street and on the line of the John Sharp Property at the corner of Lot 97; thence South 14 deg. 45 min. West 265 feet to the southwest edge of Lot 119; thence with meanderings of branch to the southwest edge of Cemetery Street 387.1 feet to the intersection of Cemetery and Pratt Streets; thence North 75 deg. 15 min. West with the southern edge of Pratt Street, 305.6 feet to the PLACE OF BEGINNING and being all of Lots 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119 of the map of Dillard Springs property of the Boulevard Real Estate Company as subdivided May, 1921, S. B. Dameron, C. E., Reidsville, N.C., and redivided October 11, 1923, for the Piedmont Realty Company. See Book 328, page 171. Also see Book 610, page 495.

See Book 730, page 927, Rockingham County Registry.

SAVE AND EXCEPT those tracts conveyed in Book 786, page 39.

The above-described property being located on Black Bottom Road and identified by the Rockingham County Tax Dept. as PIN 7969-08-89-1039 and Parcel No. 133169.

WHEREAS, on the 6th day of September, 2023, the Director caused to be issued a Complaint and Notice of Hearing for the 28th day of September, 2023, which was served on George Dalton first class mail and certified mail, return receipt requested; the certified mail was received on September 11, 2023; the Complaint and Notice of Hearing was served on Joe Dalton by posting on the subject property on the 7th day of September, 2023; and

WHEREAS, the hearing was held on the 28th day of September, 2023, and the Director subsequently issued an Order to repair, alter, improve or vacate the structure located on the property; and

WHEREAS, a copy of the Order was served on George Dalton by certified mail, return receipt requested, and first-class mail; the certified mail was received on the 27th day of October, 2023; the Finding of Fact and Order was posted on the subject property on the 3rd day of October, 2023; the Finding of Fact and Order was published in the Rockingham Now on the 25th day of October, 2023; 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 (1) causing such dwelling to be repaired, altered or improved, and pending such repairs, alterations or improvements, may order such dwelling vacated and closed and/or (2) causing to be posted on the main entrance of any dwelling so closed a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a Class 1 misdemeanor.

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 names of Joe Dalton, Roy Dalton, Sheila Dalton, William Dalton, Jonathan Dalton, Rainie Dalton, Roger Dalton, Lawanda Dalton, Sandy Dalton, Martha Dalton (Cohen), Mary Dalton, Carolyn Dalton, Patricia Dalton, Calvin Dalton, Swanson Dalton, Norman Dalton, Deloyce Dalton, George Dalton, Robert Dalton, Willie Dalton, and Gloria Dalton in the Grantor and Grantee index.

Minutes of the February 20, 2024 meeting of the City Council, City of Eden:

IT IS FURTHER ORDERED that the amount of the cost of effectuating the purpose of the Human Habitation Standards set out in Article 9, Section 9.02 of the City of Eden Unified Development Ordinance 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 20th day of February, 2024.

CITY OF EDEN

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

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

ANNOUNCEMENTS:

Council Member Epps said Rex Rouse passed away. Mr. Rouse and his family and firm had been dedicated to serve the City. He sent his condolences to the family.

Mayor Hall thanked Council Member Epps for mentioning that. Mr. Rouse was a very big part of the community and would be missed by them all.

Marketing & Special Events Manager Cindy Adams reported the Native American Youth Powwow was April 27.

Council Member Ellis congratulated two Morehead High School wrestlers – Cole Pritchard, a state champion and Eli Horton, who took second place. Mr. Horton was a state champion last year. He congratulated Parks & Recreation Director Ray Thomas on his new granddaughter, Annie. He thanked Mr. Thomas for his service.

Council Member Kirkman asked about the meeting for the American Warehouse.

Ms. Stultz advised an owner had scheduled it and not the City.

Mayor Hall said they were asking for community input and it was open to the public.

Council Member Kirkman said it was at The Fair House.

Mayor Hall said he would send an email out about the specifics. Randy Hunt had been in touch with the organizer and they were trying to get input on ideas for the possible redevelopment.

Council Member Kirkman said he had noticed a lot of the old cotton mill had been removed so that was a positive.

Ms. Stultz agreed and said they were doing demolition and trying to save the parts that they could.

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:

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Neville Hall  
Mayor