

**EDEN CITY COUNCIL
REGULAR MEETING AGENDA
September 17, 2024 at 6 p.m.
Council Chambers, 308 E. Stadium Drive**

1. Meeting called to order by: Neville Hall, Mayor
2. Invocation: Associate Pastor Terra Flint, Trinity Wesleyan Church
3. Pledge of Allegiance: Led by Trinity Wesleyan Education Center students
4. Proclamations and Recognitions:
 - a. Recognition: Trinity Wesleyan Education Center. **Ken White, Main Street Manager**
 - b. Proclamation: Constitution Week
 - c. Proclamation: Remember Me Thursday
5. Roll Call
6. Set Meeting Agenda
7. Public Hearings:
 - a. Consideration to adopt an ordinance annexing the property located at 773 Summit Loop (continued from the 8/20/24 regular meeting). **Kelly Stultz, Planning & Community Development Director**
 - b. (1) Consideration of a zoning map amendment and adoption of an ordinance to rezone 15.66 acres on Summit Road from Residential 20 to Residential Mixed Use. Zoning Case Z-24-04.

(2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment to rezone 15.66 acres in Z-24-04. **Kelly Stultz, Planning & Community Development Director**
8. Requests and Petitions of Citizens
9. Unfinished Business:
 - a. Consideration of commission appointments. **Kelly Stultz, Planning & Community Development Director**
10. New Business
11. Reports from Staff:
 - a. City Manager's Report. **Jon Mendenhall, City Manager**
12. Consent Agenda:
 - a. Approval and adoption of the August 20 regular meeting minutes. **Deanna Hunt, City Clerk**
 - b. Approval and adoption of a resolution approving the Local ABC Board's Travel Policy. **Gary Robinette, ABC Board**
 - c. Approval and adoption of a Capital Project Ordinance adopting a capital project fund to appropriate funds from NCDENR. **Tammie McMichael, Finance & Personnel Director**

- d. Approval and adoption of a resolution to rescind the Resolution to Adopt and Approve the City County Public Utilities Agreement dated July 24, 2024. **Erin Gilley, City Attorney**
- e. Consideration of an ordinance Amending the Schedule of Rates and Fees – Addition of Bulk Rates. **Jon Mendenhall, City Manager**

13. Announcements

14. Adjournment



**PROCLAMATION
Constitution Week 2024**

WHEREAS, September 17, 2024 marks the two hundred and thirty-seventh anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Neville Hall, by virtue of the authority vested in me as Mayor of the City of Eden do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

AND ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Eden to be affixed this 17th day of September of the year of our Lord two thousand twenty-four.

Neville Hall, Mayor

Attest:

Deanna Hunt, City Clerk

August 26, 2024

Mayor Neville Hall
 City of Eden
 308 E. Stadium Drive
 Eden, North Carolina 27288



Dear Mayor Hall,

Thursday, September 26th, 2024, Friends of Eden Animal Rescue is uniting with animal-lovers and animal welfare organizations around the world to participate in a Remember Me Thursday® candle-lighting ceremony. Now going into its twelfth year, Remember Me Thursday® aims to unite individuals and pet adoption organizations on the fourth Thursday in September to be an unstoppable, integrated voice advocating for orphan pets to live in forever homes, not die waiting for them. The candles lit will shine a light on the millions of healthy pets who are still awaiting adoption and encourage communities to opt to adopt and reduce the millions of orphan pets euthanized each year.

The purpose of this letter is to request that you issue a proclamation for “Remember Me Thursday®” day throughout the City of Eden.

By issuing this proclamation you will not only be showing that you represent all of your constituents (both 2- and 4-legged), but you will also help us to save lives and conserve public funds that would otherwise be spent to euthanize the nearly 1 million healthy pets that lose their lives in this country every year.

For your convenience, a sample proclamation is attached.

We will be happy to attend your next meeting to accept the proclamation. You, Ryder & Mac are also invited to attend our “Remember Me Thursday®” candle-lighting ceremony on Thursday, September 26th, 2024, at 6:00 PM at Grogan Park.

Please feel free to contact me with any questions, or to confirm that you will issue the proclamation and attend our candle-lighting ceremony.

For the animals,

Lisa H. Goldsworthy

Lisa Goldsworthy, Director
 Friends of Eden Animal Rescue

REMEMBER ME THURSDAY

Whereas Friends of Eden Animal Rescue is participating in Remember Me Thursday®;

Whereas the staff and volunteers of Friends of Eden Animal Rescue have agreed to devote their time, resources, and energy to this united effort to bring attention to orphaned pets;

Whereas Friends of Eden Animal Rescue will hold a public candle-lighting ceremony with the goal remembering those orphan animals who died without a loving home and shining a light on the orphaned animals still waiting for their forever homes throughout the Eden and surrounding Rockingham County areas;

Whereas Friends of Eden Animal Rescue is working in cooperation with animal organizations and rescue groups from around the world in partnership with Remember Me Thursday® founder Helen Woodward Animal Center;

Whereas the Remember Me Thursday® campaign will assist in not only bringing attention to the orphaned pets in Eden, North Carolina but will therefore result in increased adoptions of these pets;

Therefore, let it be proclaimed that the City of Eden, Rockingham County, North Carolina declares that the fourth Thursday of September is the official Remember Me Thursday® day.



PROCLAMATION
Remember Me Thursday 2024

WHEREAS, Friends of Eden Animal Rescue is participating in Remember Me Thursday®; and

WHEREAS, the staff and volunteers of Friends of Eden Animal Rescue have agreed to devote their time, resources, and energy to this united effort to bring attention to orphaned pets; and

WHEREAS, Friends of Eden Animal Rescue will hold a public candle-lighting ceremony with the goal of remembering those orphaned animals who died without a loving home and shining a light on the orphaned animals still waiting for their forever homes throughout the City of Eden and Rockingham County areas; and

WHEREAS, Friends of Eden Animal Rescue is working in cooperation with animal organizations and rescue groups from around the world in partnership with Remember Me Thursday® founder Helen Woodward Animal Center; and

WHEREAS, the Remember Me Thursday® campaign will assist in not only bringing attention to the orphaned pets in Eden, but will therefore result in increased adoptions of these pets,

NOW THEREFORE, let it be proclaimed that the City of Eden declares that the fourth Thursday of September 2024 is the official Remember Me Thursday® day.

By:

Neville Hall, Mayor

Attest:

Deanna Hunt, City Clerk



Planning and Community Development Department

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

MEMO

To: Honorable Mayor and City Council
Thru: Jon Mendenhall, City Manager
From: Kelly K. Stultz, AICP, Director
Subject: **Public Hearing - Annexation Request
773 Summit Loop**
Date: September 4, 2024

At the regular City Council meeting on July 16, 2024, the Council called for a public hearing to be held at the August 20, 2024, meeting to hear comments regarding an annexation of the property located at 773 Summit Loop. The public hearing was continued until the September 17, 2024 meeting.

The Petition Requesting Annexation was filed by the property owner, Brason Properties, LLC.

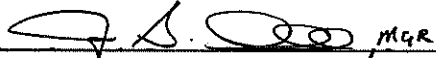
Staff is of the opinion that this property should be annexed.

PETITION REQUESTING A NON-CONTIGUOUS ANNEXATION

Date: 7-20-2023

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

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Eden.
2. The area to be annexed is non-contiguous to the City of Eden and the boundaries of such territory are as described in the attached Deed.
3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the City of Eden.
4. We acknowledge that any zoning vested rights acquired pursuant to N.C.G.S. 160A-58-58.3 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property.

<u>Name</u>	<u>Address</u>	<u>Do you declare Vested rights? Yes or No</u>	<u>Signature</u>
Brason Properties LLC Jason S. Darnell, Manager	Property Address: 773 Summit Circle Eden, NC 27288	Yes	 MGR
	PIN... 7081 19 50 8468 00		
	Mailing Address: 5014 Casting Way, Greensboro, NC 27455		



DEED NORTH
D.B.1645 PG.2747

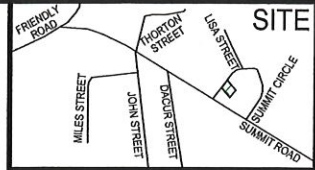
I, Gregory M. Gorrell, certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book ___ as Page ___ shown.); that the boundaries not surveyed are indicated as drawn from information in Book ___ as Page ___ shown.; that the ratio of precision or positional accuracy is 1:10000+; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56. 1600).

This 18th day of July, 2023



Professional Land Surveyor

Seal



Location Map: Not To Scale

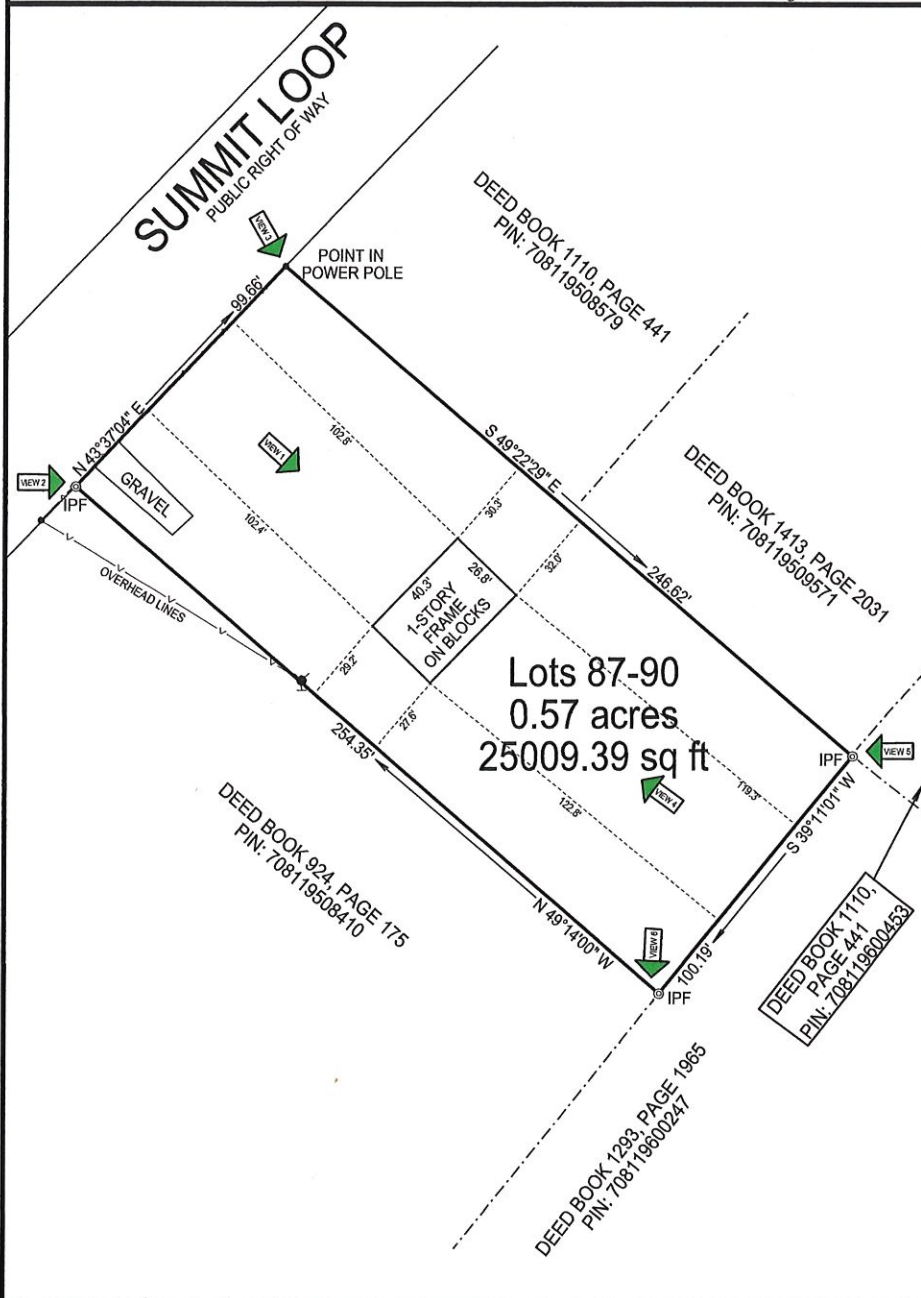
- ⊙ Iron pipe found (IPF)
- Iron pipe set (IPS)
- R/W Right of Way
- Power Pole

∅ MBL

LEGEND
Computed Point (Not Set)
Minimum / Max Building Line

- ▲—▲— Overhead Lines
- x—x— Fence Line
- - - - - Neighbors Property Line
- - - - - Edge of Easement

Photos were taken at time survey was performed. View points and viewing direction are indicated on map of survey.



VIEW 1



VIEW 2



VIEW 3



VIEW 4



VIEW 5



VIEW 6

This map does not meet G.S. 47-30 Mapping Requirements of N.C. and is not for recordation. Drawn by: MLH File name: 773 summit loop

This property is subject to any easements, agreements, or rights-of-ways of record prior to this date and not visible at the time of inspection. This is to certify that this plot was drawn from a recorded map and field survey; that the property lines and location of all structures are accurately shown hereon; and there are no encroachments either way across property lines, unless noted otherwise. This property has not been evaluated for special flood hazard area as determined by the Department of Housing and Urban Development. For flood boundaries contact the Federal Emergency Management Agency.

DATE: 07-18-2023 SCALE: 1"= 30'
0 40 80 120
This Survey was performed without the benefit of a title search and is subject to any facts and easements which may be disclosed by a complete title search.

FOUR POINTS SURVEYORS
G. Matthew Gorrell, Professional Land Surveyor
mail to: P.O. Box 986 Summerfield, NC 27358
Phone: 336.669.0209, email: MATT@4PTSS.COM
website: www.4PTSS.com

Map of Survey For:

Brason Properties
773 Summit Loop
Lots 87-90
Subd. No. 1 for S.T. Jackson & George W. Smith
Leaskville Township
Rockingham County, NC
Deed Ref. 1645@2747
PIN: 708119508468

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

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

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

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the City Council Chamber, 308 East Stadium Drive at 6:00 o'clock p.m. on August 20, 2024, after due notice by publication on August 7, 2024; and

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

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made a part of the City of Eden as of September 1, 2024:

BEGINNING at a point in a power pole in the south right of way of Summit Loop, said point marking the northeast corner for property described in Deed Book 1110, page 441; thence with the south line of said property, South 49 deg. 22 min. 29 sec. East 246.62 feet to an iron pipe found, said iron marking the northeast corner for property described in Deed Book 1293, page 1965; thence with said property line, South 39 deg. 11 min. 01 sec. West 100.19 feet to an iron pipe found, said iron marking the southeast corner for property described in Deed Book 924, page 175; thence with said property line, North 49 deg. 14 min. 00 sec. West 254.35 feet to an iron pipe found in the south right of way of Summit Loop; thence with the south right of way line of Summit Loop, North 43 deg. 37 min. 04 sec. East 99.66 feet to the POINT OF BEGINNING, the same containing 0.57 acres as shown on a Plat of Survey for Brason Properties by Four Points Surveyors, P.L.S. dated July 18, 2023.

The above-described property being more commonly known as 773 Summit Loop and identified by the Rockingham County Tax Dept. as PIN 7081-19-50-8468 and Parcel Number 110467.

Section 2. Upon and after September 1, 2024, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Eden and shall be entitled to the same privileges and benefits as other

parts of the City of Eden. Said territory shall be subject to municipal taxes according to G. S. 160A-31.

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

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

Adopted this 17th day of September, 2024.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, CMC
City Clerk



Planning and Inspections Department

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

MEMO

To: Honorable Mayor and City Council
Thru: Jon Mendenhall, City Manager
From: Kelly K. Stultz, AICP, Director
Subject: **Zoning Case Z-24-04 – PIN No. 7080-0759-4339 Parcel No. 183917**
Date: September 6, 2024

The City has received a zoning map amendment request filed by Matthew Warren, Owner of Subject Property, to rezone 15.66 acres on the west side of Summit Road, PIN No. 7080-0759-4339, Parcel No. 183917. The request is to rezone the property from Residential-20 to Residential Mixed Use.

The Planning and Community Development Department recommends approval of the map amendment request. At a special meeting on September 3, 2024, the Planning Board voted to recommend that the City Council approve this request.

CERTIFICATE SHOWING THAT NOTICES WERE MAILED TO THE OWNER(S) OF PROPERTY SUBJECT TO REZONING AND TO OWNER(S) OF ALL PARCELS OF LAND ABUTTING SUBJECT PROPERTY AND/OR WITHIN 100 FEET OF SUBJECT PROPERTY.

RE: ZONING CASE Z-24-04
PIN No. 7080-07-59-4339, Parcel No. 183917

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF EDEN:

I, Kelly K. Stultz, Planning & Community Development Director of the City of Eden North Carolina, do hereby certify that notices of the proposed zoning map amendment requested by Matthew Warren, Owner of Subject Property, to rezone PIN No. 7080-07-59-4339, Parcel No. 183917 from Residential-20 to Residential Mixed Use were mailed first-class mail to the owner of the property in the proposed rezoning and all property owners adjacent to or within 100 feet of the subject area on the 4th day September, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand this the 6th day of September, 2024.



Kelly K. Stultz, AICP
Planning and Community Development Director



Rezoning (Map Amendment) Application

Planning and Inspections Department

308 E. Stadium Dr., Eden, NC 27288

Phone: 336-623-2110 x2 / Fax: 336-623-4057

www.edennc.us

CONTACT INFORMATION

Contact Name Matthew Warren

Contact Address 239 Weava St.

City Eden State NC Zip 27288

Phone Number 336-613-6871 Email Nay12071962@aol.com

Contact's Property Interest or Legal Relationship to Owner _____

PROPERTY OWNER INFORMATION

Property Owner Name Matthew & Renee Warren

Property Owner Mailing Address 239 Weava St.

City Eden State NC Zip 27288

Phone 336-613-6871 Email Nay12071962@aol.com

PROPERTY INFORMATION

Tax Property ID No. (PIN) 708007594339

Deed Book and Page No. 1637 - page # 2075

Physical Address Summit Road

City Eden State NC Zip 27288

Year Current Owner Acquired Property 2022 Acreage 15.66

Public Water Available? Yes No Public Sewer Available? Yes No

Current Use of Property Vacant Land

City Jurisdiction: In-City Limits ETJ

Existing land use/zoning on adjoining properties:

North: R-20

South: R-20

East: R-20

West: R-20

ADDITIONAL INFORMATION

Attach the following documents to this application form:

- Recorded deed to the property
- Copy of the recorded plat or survey for the property* or A map showing dimensions of the property

*Preferred

PROCESS & FILING INFORMATION

Submission Requirements: Per Article 3 of the Eden Unified Development Ordinance (UDO), every applicant for a rezoning (map amendment) is required to meet with the Administrator in a pre-application conference prior to the submittal of a formal application. The purposes of this conference are to provide additional information regarding the review process and assistance in the preparation of the application. Upon application submittal, the Administrator shall review the application to ensure that it is complete.

Review Process: After review and recommendation of the application by the Administrator, the Planning Board shall review and provide a recommendation to the City Council. Upon receiving a recommendation from the Planning Board, the City Council shall hold a legislative public hearing on the proposal for official action.

Required Application Information: A petitioner must complete this application in full. This application will not be processed unless all information requested is provided.

General Rezoning Requests: These are "general" requests involving a zoning change to an individual parcel of land. The request is to amend or change the City's Official Zoning Map in a certain area from one zoning district to another. "General" rezoning requests are not specific and if approved, any permitted land use within the new zoning district as illustrated in Section 5.06 (Table of Permitted Uses) of the Eden UDO could be permitted.

Conditional Zoning District Requests: Conditional Zoning Districts (CZ) are districts with conditions voluntarily added by the applicant. Conditional Zoning Districts provide for orderly and flexible development under the general policies of this ordinance without the constraints of some of the prescribed standards guiding by-right development. Conditional Zoning Districts may be used in any district but is not intended to relieve hardships that would otherwise be handled using a variance procedure. Conditional Zoning District rezonings can include restrictive land uses, site/subdivision master plans and other information as described in Section 3.10 of the UDO.

ZONING INFORMATION

Request Type: _____ General Rezoning _____ Conditional Zoning District

Current Zoning District R-20

Requested Zoning District Residential Mix

If the request is to a Conditional Zoning District this application should be accompanied by an Existing Conditions Map, a Sketch Plan (may be waived by the Administrator as appropriate), and Master Plan; as well as any other plans, drawings, renderings, elevations, maps and documents specifically included as development documents for approval by the City Council. At a minimum, the following should be provided:

1. The underlying zoning districts and a full list of proposed uses consistent in character with those zoning districts.

Such use classifications may be selected from any of the uses, whether permitted, by right or with supplemental



Rezoning (Map Amendment) Application

Planning and Inspections Department
308 E. Stadium Dr., Eden, NC 27288
Phone: 336-623-2110 x2 / Fax: 336-623-4057
www.edennc.us

standards, allowed in the general zoning district upon which the Conditional Zoning District is based. Uses not otherwise permitted within the general zoning district shall not be permitted within the Conditional Zoning District.

2. General traffic routes (external and internal) to and from the development with major access points identified.
3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios and impervious surface ratios as applicable to development type; and land areas devoted to each type of general land use and phase of development.
4. A proposed development schedule if the project is to be phased.

Proposed Land Use(s):

Residential

Proposed Conditions Offered by Applicant:

APPLICANT/OWNER CERTIFICATION

I hereby certify that, to the best of my knowledge, the information on this application is true and accurate, and I hereby petition the Planning Board to recommend and the City Council to approve this application for a rezoning (map amendment).

Applicant Signature *Michelle Warren* Date 8-7-24
 Property Owner Signature *Michelle Warren* Date 8-7-24

Office Use Only

Staff Member (Initial upon Receipt) JCA Date 8/7/24
 Application Number Z-24-04 Fee Paid \$300.00

**PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
ZONING MAP AMENDMENT REPORT
August 23, 2024**

CASE NUMBER:	Z-24-04
EXISTING ZONING DISTRICT:	Residential-20 (R-20)
REQUESTED ZONING DISTRICT:	Residential Mixed Use (RMX)
APPLICANT:	Matthew Warren
APPLICANT'S STATUS:	Owner of Subject Property

PROPERTY INFORMATION

LOCATION:	Vacant on Summit Road
PIN:	7080-07-59-4339
SIZE:	15.66 acres
ACCESS:	Summit Road
LAND USE:	Vacant
ZONING HISTORY:	R-20 in UDO and before 2021.

AREA INFORMATION

CHARACTERISTICS:	Relatively Flat and located in an area that already has city services.	
ADJACENT ZONING:	North:	R-20
	East:	R-20
	West:	R-20
	South:	LI

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
PUBLIC WATER AVAILABLE:	Yes
2022 COMPREHENSIVE PLAN:	Suburban Residential
FLOOD HAZARD AREA:	No
WATER SUPPLY WATERSHED:	Smith River Protected Area

STAFF ANALYSIS

The request is to rezone property located off Summit Road of approximately 15.66 acres from R-20 to RMX. The subject parcel has been vacant and recently cleared of timber. With city services available and proximity to Summit Road this property is in a prime area for subdivided infill development

The Eden Comprehensive Plan indicates this property as being in a Suburban Residential development area. Areas designated as Suburban Residential are intended to remain predominantly suburban in character and provide for medium density, single-family residential development on smaller lots than those in Rural Residential areas. Future Suburban Residential development should be located near existing neighborhoods and water and sewer connections to avoid leapfrog development and isolated neighborhoods. Mixed-residential uses may occur to support conservation of open space and natural resources but should rarely exceed a gross density of 4 units per acre. Efforts should be made to allow for pedestrian connectivity and connections to Eden's planned and existing greenway system.

Uses and Intensity

- **Typical Uses:** Single-family Residential, Agriculture, Parks and Conservation
- **Gross Residential Density:** up to 4 dwelling units/acre
- **Unit Type and Open Space:** Max of 25% Attached Units, Minimum of 20% open space in new subdivisions. Open space should be a mix of preserved natural features (such as riparian areas and steep slopes) with passive recreation such as greenways and trails and more formal open space such as common greens, playgrounds, or sports fields. This property was zoned R-20 under the UDO with us having the expectation that the property would likely need to change before development.

The City of Eden is in need of housing of all types and infill development is always encouraged.

Based upon the aforementioned information, staff recommends in favor of the request.

STAFF RECOMMENDATION:

Approval of the request



ZONING CASE

Z-24-04

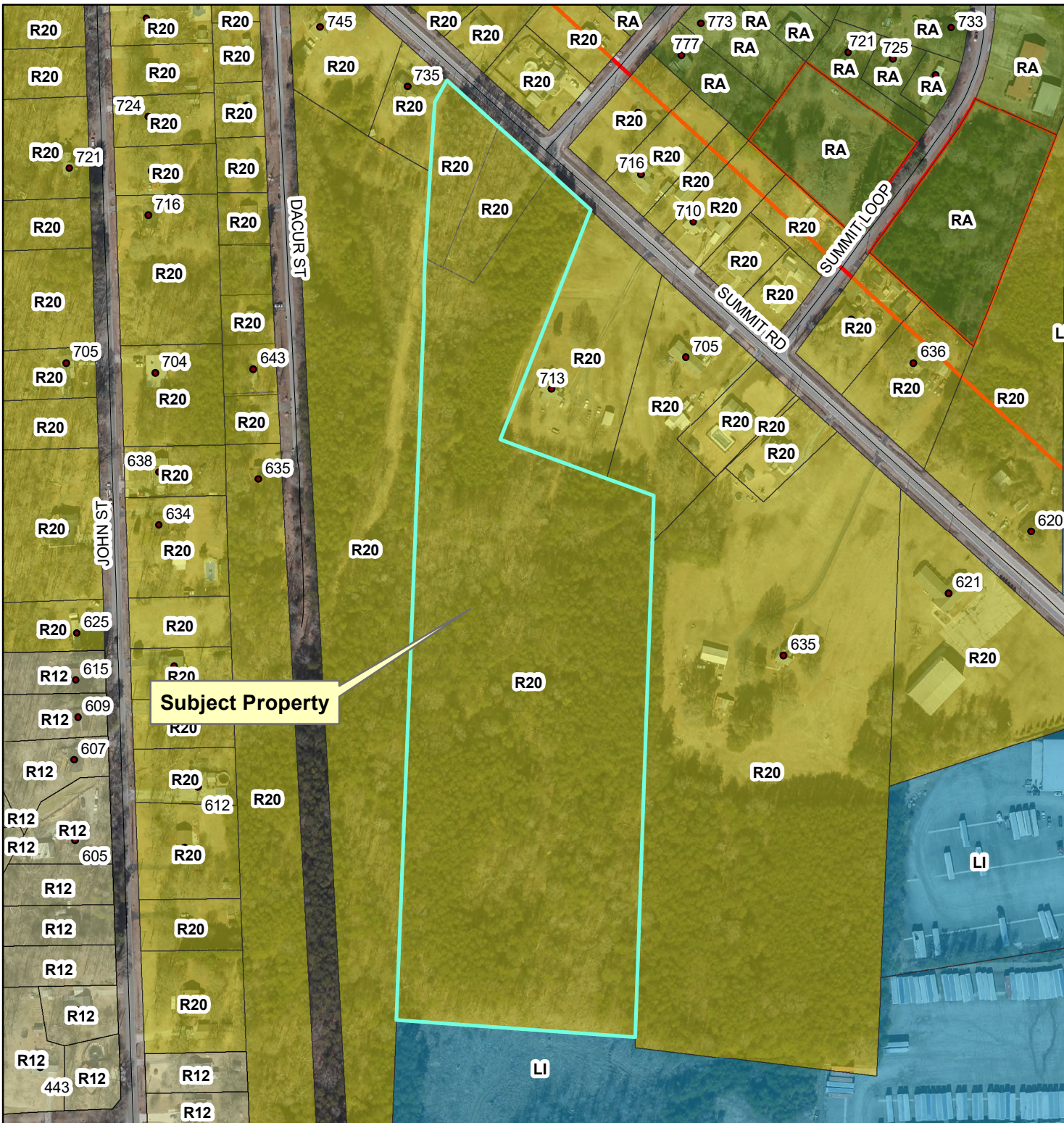
AERIAL MAP



**PIN:
7080-07-59-4339**

**Zoned:
Residential 20**

**Request:
Residential Mixed Use**



ZONING CASE

Z-24-04

ZONING MAP



**PIN:
7080-07-59-4339**

**Zoned:
Residential 20**

**Request:
Residential Mixed Use**

AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that, after having fully complied with all legal requirements, including publication of notice of a public hearing and the holding of a public hearing relative thereto, the Unified Development Ordinance of the City of Eden is hereby amended as follows:

Section 1 - Change from Residential 20 to Residential Mixed Use the following property:

Being all that certain Tracts or Parcels of Land containing 15.66 acres, as more particularly set forth on:

Tract 1, Parcel No. 109785 Being Parcel "A" containing 0.655 acre as shown on the Plat of Survey for Nannie H. Warren Estate by C.E. Robertson & Associates, Professional Land Surveyor dated May 10, 1999 and recorded in Plat Book 42, Page 61, Rockingham County Registry.

Tract 2, Parcel No. 109786 Being Parcel "8" containing 0.653 acre as shown on the Plat of Survey for Nannie H. Warren Estate by C.E. Robertson & Associates, Professional Land Surveyor dated May 10, 1999 and recorded in Plat Book 42, Page 61, Rockingham County Registry.

Tract 3, Parcel No. 108167 Being Parcel "E" containing 14.353 acres as shown on the Plat of Survey for Nannie H. Warren Estate by C.E. Robertson & Associates, Professional Land Surveyor dated May 10, 1999 and recorded in Plat Book 42, Page 61, Rockingham County Registry.

The above-described property being commonly identified by the Rockingham County Tax Dept. as containing approximately 15.66 acres and as PIN No. 7080-07-59-4339 and Parcel No. 183917.

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

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of September, 2024.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
A PROPOSED AMENDMENT TO THE
CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE
CASE NUMBER Z-24-04
MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160D-605, prior to adoption or rejection of any zoning amendment, the Eden City Council is required to adopt a statement as to whether the amendment is consistent with the Land Development Plan and why the City Council considers the action taken to be reasonable and in the public interest;

WHEREAS, on May 17, 2022, the Eden City Council adopted the Comprehensive Plan. Plans such as the City of Eden Comprehensive Plan are not designed to be static but are meant to reflect the City of Eden's needs, plans for future development and to remain in compliance with North Carolina State Law and the City of Eden's ordinances;

WHEREAS, the City of Eden Planning Board received a request to rezone approximately 15.66 acres west of Summit Road from Residential 20 to Residential Mixed Use.

WHEREAS, On September 3, 2024, the City of Eden Planning Board voted to recommend to the Eden City Council that the rezoning request be approved.

STATEMENT OF NEED:

The property in question would satisfy a need in our community for housing.

STATEMENT OF CONSISTENCY:

The property is denoted in the City of Eden Comprehensive Plan as Suburban Residential. Areas designated as Suburban Residential are intended to remain predominantly suburban in character and provide for medium density, single-family residential development on smaller lots than those in Rural Residential areas. Future Suburban Residential development should be located near existing neighborhoods and water and sewer connections to avoid leapfrog development and isolated neighborhoods. Mixed-residential uses may occur to support conservation of open space and natural resources but should rarely exceed a gross density of 4 units per acre. Efforts should be made to allow for pedestrian connectivity and connections to Eden's planned and existing greenway system.

WHEREAS, The Eden City Council has considered the written recommendation of the City of Eden Planning Board and has held a public hearing on the proposed amendment, and the Council desires to adopt a statement describing why the adoption of the proposed amendment is consistent with the City of Eden Comprehensive Plan and why the City Council considers the proposed amendment is reasonable and in the public's best interest;

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

1. The Eden City Council finds that the proposed amendment to the City of Eden Unified Development Ordinance is consistent with the goals and recommendations of the 2022 City of Eden Comprehensive Plan.
2. At no time are land use regulations or plans of the City of Eden or any jurisdiction in the State of North Carolina permitted to be in violation of the North Carolina General Statutes.
3. Therefore, based upon the foregoing information, the amendment to the Unified Development Ordinance is reasonable and is in the public's best interest.

Approved and adopted and effective this 17th day of September, 2024.

CITY OF EDEN

BY: _____
Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk



Planning & Community Development Department

308 East Stadium Drive, Eden, North Carolina 27288 Phone: (336) 623-2110 Fax: (336) 623-4057

MEMO

To: Honorable Mayor and City Council
Thru: Jon Mendenhall, City Manager
From: Kelly K. Stultz, Director
Subject: **2024 Boards and Commissions Appointments**
Date: September 6, 2024

The following seats on the City Boards and Commissions are vacant and need to be filled. When making appointments, please consider whether these people 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 Wood

Community Appearance – Avery Moore (Resigned)

Mayor Hall

Historic Preservation – Chase Lemons (Resigned)

The following are the days and times that the board meets each month:

<u>Board</u>	<u>Day</u>	<u>Time</u>
Community Appearance Commission	1st Tuesday each month	5:30 pm
Historic Preservation Commission	2nd Monday each month	5:30 pm



City Manager's Report
September 2024
City Manager Jon Mendenhall

ADMINISTRATION

Marketing & Communications Office

TOUCH-A-TRUCK 2024 was BIG FUN! We had over 55 vehicles and pieces of equipment for kids to explore and experience, Foam Party, Monster Truck Inflatable, kids favorite strolling characters, food and more. A huge thank you to the City of Eden Public Works, Fire Department, Police Department and all the other generous operators and volunteers who partnered with us to create an awesome day of memories for the kids!

Another huge thank you to all who came and donated a huge amount of school supplies. You are the best!

We would like to send out a HUGE THANK YOU to our generous **RiverFest 2024** Community Partners! This would not be the festival it is without you!

Nestle Purina	Dyer's Plumbing
City of Eden	Piedmont Surfaces of the Triad
Eden Marketing & Special Events	Enbridge
Leaksville Multiple Service District	MVP Southgate
Gildan	Tri-City Automotive
HomeTrust Bank	Fair Funeral Home
UNC Rockingham	Tire Max
Eden Chamber of Commerce	Mike Moore Media
Duke Energy	Destination Magazine

PARKS & RECREATION DEPARTMENT

Recreation Division

Bridge Street Recreation Center: Bridge Street Recreation Center has been busy with daily walkers and fitness classes. The afterschool program has started with 20 children attending.

Mill Avenue Recreation: Pickleball is being played Monday, Tuesday, Wednesday, Friday and Sunday afternoon. Cornhole games are also being held as well. Prowlers are gearing up for football, volleyball and cheer. All practices have started. Games for football and volleyball are beginning to start.

Mill Avenue Pool/Freedom Park Splash Pad: Are closed for the season.

Freedom Park: the lights are up and are ready for Duke Energy to hook up. All the ballfields are complete and the contractors are working on the pickleball courts.

Senior Center: The seniors are staying busy this month playing pickleball, bingo, quilt making class, line dancing classes, watercolor classes and so many more fun activities. Please check out the Garden of Eden Senior Center Facebook page with a schedule full of events.

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

Local Codes Inspections August 1, 2024 - August 31, 2024

Total Local Code Inspections Performed	95
Local Code Notices Sent	30
Local Codes Abated	50

Inspections & Permits August 2024

Total Inspections Performed	239 (Does not include fire inspections)
Total Permits Issued	140

Boards & Commissions

The Community Appearance Commission planned to meet for the month of August, but predetermined a quorum would not be able to be established.

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

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

The Planning Board postponed its regular scheduled meeting for August to September 3 due to a schedule conflict.

Veterans Park Beautification Project: Phase III- Community Appearance Commission

Staff is still collaborating the Division of Design & Construction to design an ADA accessible to walkway to the monument at the Veterans Park located near Fieldcrest Road and Main Street in the Draper area. The Community Appearance Commission has plans of outlining the walkway with a brick border and offer residents to purchase an engraved brick “In Honor” or “In Memory” of a veteran.

Ferry Road Sign Project- Historic Preservation Commission

Staff picked up two physical signs from Randy’s Custom Lettering located in Walnut Cove, NC. Staff is in continued talks with NC DOT about a right-of-way encroachment easement/agreement for one of the sign locations near Third Avenue and E. Stadium Drive. Staff received agreement confirmation from the property owner of 1504 E. Stadium Drive for the other sign location and will collaborate with the City Attorney for an MOU. Staff anticipate installation of at least one of the signs in early September.

30 for 30 Tree Planting Campaign- Tree Board

Staff has finalized the campaign and plans to launch the campaign the first of September 2024 and run it through February 2025. City social media posts, flyers and local media outlets will market the campaign during the stated timeframe. Planting of trees will commence March through May of 2025. Staff continues to collaborate with Webb Irving on purchasing trees for various planting projects for fall of 2024 and spring of 2025.

POLICE DEPARTMENT

Our four cadets began the fall BLET class on August 6, 2024, this pool of cadets will tentatively graduate in December 2024.

We received four Dodge Durangos as part of our 10-year vehicle replacement plan as approved in the FY 24-25 budget CIP in July. The vehicles have been registered with DMV and are being staged at the City shop. All equipment for the vehicle's upfitting has been ordered, with an expected delivery in the coming months.

On August 17 we attended the Touch-a-Truck event and on August 29 we attended Shaggin on Fieldcrest.

FIRE DEPARTMENT

The Fire Department responded to 103 calls for the month of August. The Fire Marshal completed 23 inspections the month of August. Fire Station 2 is now open and fully staffed.

PUBLIC WORKS DEPARTMENT

Streets

Maintenance activities have included concrete work 20 yards at the Fire Station on Stadium Drive is now complete. Vegetation control continues with crews mowing 38.5 acres, while also removing 735 cubic yards from City streets. Litter control and street sign maintenance and vegetation spraying were a high priority as well. Crews also focused on patching throughout the City, with 57.22 tons of asphalt work completed.

Construction

The Construction Crew has removed fence and graded for a new building and parking lot extension. The building pad is 37 feet by 250 feet. The parking lot is approximately 13,725 square feet. Crews have also moved approximately 820 cubic yards of dirt. Construction has also checked the known flood prone areas and removed debris from the pipe ends prior to Tropical Storm Debby. Crews have replaced 32 feet of 12 inch CMP that was rotted with 32 feet of 12 inch RCP at 251 Farrell Street. At the Dan River outfall, crews installed 85.91 ton of Class 2 riprap in eroded areas along the river bank.

Collections & Distribution

Collection and Distribution crews work to continue on water leaks and sewer issues as they are reported. Sewer blockages and repairs remain top priority. An increase in reports of sewer issues was noticed in August and crews addressed these as quickly and efficiently as possible. Maintenance work continues on easements and outfalls.

Solid Waste

The Solid Waste Division continues 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 435.38 tons. The amount of vegetative tonnage (brush) collected in August was 13.94 tons while bulk waste tonnage collected was 178.80 tons.

Fleet

The Fleet Division had 208 work orders which includes all outside repairs, road calls as well as regular service, tires and NC inspections.

Utilities

Staff met with 120 Water to discuss our progress on the inventory for Lead and Copper. Staff met with J Cumby staff to discuss potential changes to bid for Railroad that could lower the bid cost. Reductions were found but items were also suggested for further improvement. Staff agreed with the assessment and proposed it to management. A change order was approved for the North Basin cleanout project. Synagro is scheduled to be complete by the end of the month unless they have more issues. The Annual Sewer Report has been submitted to the State. A copy is on the City website for review.

CITY OF EDEN, N.C.

A regular meeting of the City Council, City of Eden, was held on Tuesday, August 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:	Roy Sawyers, Rockingham Update

MEETING CONVENED:

Mayor Hall called the regular meeting of the Eden City Council to order and welcomed those in attendance.

Pastor Les Herod, Eden Church of God of Prophecy, gave an invocation followed by the Pledge of Allegiance led by Police Chief Paul Moore.

RECOGNITIONS:

- a. Recognition: Prowlers 14U Softball Team

Mayor Hall said the recognition would be at the next meeting.

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 of the motion. The motion carried 7 to 0.

PUBLIC HEARINGS:

- a. Consideration to adopt an ordinance annexing the property located at 773 Summit Loop.

Planning & Community Development Director Kelly Stultz wrote in a memo: At the regular City Council meeting on July 16, 2024, the Council scheduled this public hearing to hear comments regarding an annexation of the property located at 773 Summit Loop. The Petition Requesting Annexation was filed by the property owner, Brason Properties, LLC. Staff is of the opinion that this property should be annexed.

Mayor Hall declared the public hearing open and called on Local Codes Administrator/GIS Coordinator Debra Madison as Ms. Stultz was absent.

Ms. Madison said a petition was received from the property owners at 773 Summit Loop to be annexed into the City. The resolution was signed, the City Clerk had done an investigation as to the ownership and it was time for a public hearing for anyone to object or have anything to say about the annexation. There was some sewer work being done and the City was waiting on a survey. The public hearing had already been advertised so staff would like to proceed with it and continue it until the following month when the survey would be available and the ordinance could be adopted.

Mayor Hall said the public hearing would be left open and continued until the following month, otherwise it would have to be advertised again. Action could be taken the following month after the paperwork was in.

b. Consideration to adopt an ordinance to close an unopened street, alley, utility and right-of-way easement on the east side of May Street.

Ms. Stultz wrote in a memo: At the July 16, 2024, regular meeting, the Council adopted a Resolution of Intent to Close an unopened portion of a street, alley and utility and right of way easement. The Council also scheduled this public hearing to hear comments on the street closing request filed by Draper Volunteer Fire Department, Inc. and David Johnson. The Planning and Community Development Department recommends approval of the street closing. At their July 23, 2024, regular meeting, the Planning Board voted to recommend approval of the closing. If you have any questions, please give me a call.



PETITION
TO CLOSE STREET OR ALLEY

Date Filed 5/10/24

Application No. SC-24-2

Mayor and City Council
City of Eden
Eden, NC 27288

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

OWNER(S) & MAILING ADDRESS:

SIGNATURES:

Draper Fire Dept
222 MAIN ST.
EDEN, N.C. 27288

[Signature]

OWNER(S) & MAILING ADDRESS:

SIGNATURES:

DAVID JOHNSON
201 S Hovelle Dr
EDEN, N.C. 27288

[Signature]

OWNER(S) & MAILING ADDRESS:

SIGNATURES:

INSTRUCTIONS:

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

A copy of each deed must be submitted with the petition. A fee of \$600.00 must be submitted with each petition.



STREET CLOSING
SC-24-02
AERIAL MAP



Unopened Section
of Unnamed Street
Near May Street

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

Ms. Madison said a petition had been received from the Draper Volunteer Fire Department and David Johnson to close what the City had always referred to as an unopened street or alley. It was also referred to as a utility and easement right-of-way in some places. Some surveys indicated it was an alley, some surveys referred to it as an easement. Letters were sent to utility companies. The City did have water and sewer lines in the area. The ordinance reserves easements for the lines so the City could maintain them. No objections had been received from any of the other utilities.

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

A motion was made by Council Member Underwood to adopt an ordinance to close an unopened street, alley, utility and right-of-way easement on the east side of May Street. Council Member Epps seconded the motion. All members voted in favor of the motion. The motion carried 7 to 0.

AN ORDINANCE AND ORDER
TO CLOSE AN UNOPENED STREET, ALLEY AND UTILITY
AND RIGHT OF WAY EASEMENT ON THE EAST SIDE OF MAY STREET

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

WHEREAS, on the 10th day of May, 2024, the Draper Volunteer Fire Department, Inc. and David Johnson filed a petition, by the terms of which they requested that an unopened section of a street, alley and utility and right of way easement on the east side of May Street be closed pursuant to the provisions of Chapter 13, Division 3 of the Eden City Code and North Carolina General Statutes §160A-299; and

WHEREAS, the City Council of the City of Eden, did on the 16th day of July, 2024, at its regular monthly meeting adopt a Resolution of Intent to Close an unopened section of a street, alley and utility and right of way easement on the east side of May Street calling for a public hearing to be held; and

WHEREAS, the City Council of the City of Eden, did on the 16th day of July, 2024, at its regular monthly meeting, schedule a public hearing to be held on the 20th day of August, 2024, and requested a recommendation of the Planning Board on said closing; and

WHEREAS, the required legal notice was published in the Rockingham Now on the 24th and 31st day of July, 2024, and on the 7th and 14th day of August, 2024, and copies were sent to the property owners as required by law on the 7th day of August, 2024, and copies were posted on the 19th day of July, 2024, as required by law; and

WHEREAS, the Planning Board at a regular meeting on July 23, 2024, recommended to the City Council that said unopened section of a street, alley and utility and right of way easement on the east side of May Street be closed; and

WHEREAS, the public hearing was held at the regular monthly meeting of the City Council on the 20th day of August, 2024; and

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

WHEREAS, it appears to the satisfaction of and it is determined by the City Council of the City of Eden from the Petition and other evidence submitted at said hearing that: The Draper Volunteer Fire Department, Inc. and David Johnson are the owners of the unopened section of a street, alley and utility and right of way easement on the east side of May Street to be closed. That said unopened section is not under the control or supervision of the Department of Transportation. That the closing of an unopened section of a street, alley and utility and right of way easement on the east side of May Street is not contrary to the public interest and that no individual or entity owning property in the vicinity thereof will thereby be deprived of reasonable means of ingress and regress to or from his property. That upon the closing of said unopened section of a street, alley and utility and right of way easement on the east side of May Street, all right, title and interest therein shall be conclusively presumed to be vested in Draper Volunteer Fire Department, Inc. and David Johnson, the owners of the lots or parcels of land adjacent thereto. That it appears that the provisions of the Eden City Code and the North Carolina General Statutes have been complied with fully in this matter. That said unopened section of a street, alley and utility and right of way easement on the east side of May Street should be closed as requested.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden, that the following described unopened section of a street, alley and utility and right of way easement on the east side of May Street in the City of Eden be and the same is hereby closed, said unopened section of a street, alley and utility and right of way easement on the east side of May Street being more particularly described as follows:

BEGINNING at a point in the northern line of an unnamed Utility and Right of Way Easement, said point being the northwest corner of a 0.434 acre lot owned by City of Eden (Deed Book 719, Page 594) as shown on a survey by Samuel J. Coleman Jr., RLS dated September 14, 1999 and revised August 21, 2000 recorded in Map Book 46, page 23 in the Office of the Register of Deeds for Rockingham County, N.C.; thence with the west line of City of Eden South 20 deg. 42 min. East 27.33 feet to a point, marking the northeast corner of a 0.339 acre lot as shown on the aforementioned plat; thence with the south line of the unnamed Utility and Right of Way Easement and the northern property line of the 0.339 acre lot, South 69 deg. 18 min. West 103.68 feet to a point marking the northwest corner of the 0.339 acre lot; thence North 20 deg. 42 min. West 10 feet to the north east corner of a lot shown on aforementioned plat belonging to Huffman Property Management Specialists (formerly Homer Wood, Deed Book 845, page 614), thence North 20 deg 42 min. West, a new line, to a point in the southern property line of Draper Volunteer Fire Department (formerly Stephen B. Hodges, Deed Book 775, Page 1754); thence North 64 deg. 45 min. 15 sec. East to the southeast property corner of lot formerly owned Stephen B. Hodges Deed Book 775, Page 1754 as shown on aforementioned Plat, currently owned by Draper Volunteer Fire Department; thence North 69 deg. 12 min. 39 sec. East 62.24 feet to the POINT OF BEGINNING and being a portion of the unopened portion of the unnamed Utility

and Right of Way Easement. The above described unopened section of a street, alley and utility and right of way easement on the east side of May Street is closed SUBJECT TO waterline and sewer easements hereby reserved to the City of Eden twenty (20) feet in width, ten (10) feet on either side of the centerline of the water line and twenty (20) feet in width, ten (10) feet on either side of the sewer line installed in said unopened right of way being closed.

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

APPROVED, ADOPTED AND EFFECTIVE, this 20th day of August, 2024.

CITY OF EDEN

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

REQUESTS AND PETITIONS OF CITIZENS:

Mayor Hall asked City Attorney Erin Gilley to read the policy for speakers and she did.

Mayor Hall said as there was technical difficulty with the timer, he would keep time on his phone and indicate to the speaker when there was a minute left by raising his hand.

Pastor Merinda Easley, Shaw Christian Church at 208 The Boulevard, thanked Council for allowing her to speak. She did not have a complaint or petition but wanted to stand before the public to thank two police officers – Sgt. Joey Utter and Officer Blake Pulliam. There had been concerns with the church about people parking in the parking lot and staying overnight. Thank God the officers came by the church to check out what was going on with the vehicle and the church really appreciated that. There had not been any problems since then. She thanked the Police Department and the two officers for taking the time to respond. They searched all around the car and went to the front of the church to make sure there was no entrance into the sanctuary.

Shane Woodall, 126 Eisenhower Court, said he was not complaining by any means. There had been a water leak at his house since the first of April. A friend who was also a City employee noticed it and said he thought Mr. Woodall had a leak. They looked at it and Mr. Woodall reached out to have someone check on it. An hour later, a City employee came by and verified it was a leak. The responding employee said they would be out of town the following week to which Mr. Woodall said he would be as well, and the employee said he would be back to repair it when he was back at work. Fast forward to June 17, Mr. Woodall contacted the employee who said he forgot and the division was short five employees. Mr. Woodall understood as he had dealt with lack of employees as a supervisor at the Sheriff's Office where emergencies caused staff to break what they were doing and respond. Mr. Woodall thought at that point, someone would come by but no one did. On July 23, Mr. Woodall filled out the See Click Fix form on the City's website. The ticket number was 17112292 and he included a photo. On the meter side, his yard had dropped six to eight inches. Pete Denny worked on his yard and he spent quite a bit of money to get his yard looking the way it did. It had been level but was now sunken. He put 30 to 40 bags of topsoil in it to try to keep it. If he were to ride a mower on it, it would sink. He pushed the yard. He checked the See Click Fix application the previous day and found that on August 9, someone from the City responded and said "we will check on this." No one had come by. He had been pushed back on Mr. Denny's list to redo his yard, to oversee it, to the end of September, first of October, and he really needed it fixed if it really was a water leak. When the drought occurred, that area was the only part of the yard that was really green. He thanked Council for what they did.

Council Member Underwood said he had the City Clerk report the issue the previous week.

UNFINISHED BUSINESS:

- a. Consideration of appointments to Boards and Commissions.

Planning & Community Development Director Kelly Stultz wrote in a memo: The following seats on the City Boards and Commissions are vacant and need to be filled. When making appointments, please consider whether these people 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 Wood - Community Appearance – Avery Moore (Resigned); Mayor Hall - Historic Preservation – Chase Lemons (Resigned).

Mayor Hall said he would confirm with his appointee and present the following month.

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.

Council Member Epps said it was a good report.

City Manager’s Report
August 2024
City Manager Jon Mendenhall

ADMINISTRATION

Marketing & Communications Office

The weather has not been our friend this year when it comes to outdoor events. Here are our new dates to put on your calendar:

Shaggin’ on Fieldcrest Thursday, August 29 – 5 to 10 pm

Grown & Gathered Thursday, October 3rd– 7 pm

Uptown Cruise & “Grease” Movie Friday, October 4th– 6 pm

A huge thank you to our venues, caterers, food trucks, bands, production crews, city employees, volunteers, ticket holders, sponsors and our citizens for being flexible and understanding.

RIVERFEST IS ALMOST HERE! This year’s festival is lining up to be one of the best ever. There will be live concerts, over 150 vendors, delicious food, BMX Show, Glow Foam Party, Gem Sluice, Kids Zone, Stagecoach Show, Celebrity Chef Carlos Brown, Dyer’s Rubber Duck Drop, DRBA Kayak Simulator and so much more! Plus, don’t miss the opportunity to meet Eden’s very own Tabitha Brown. Look for more information on meet & greets, special presentations, etc.

PLEASE USE THE FREE SHUTTLES – We are expecting a record crowd

FRIDAY- September 20 – 5 to 10

SATURDAY – September 20 – 10 to 10

WE CAN’T WAIT TO SEE YOU THERE!

PARKS & RECREATION DEPARTMENT

Recreation Division

Bridge Street Recreation Center: Bridge Street Recreation Center stays busy with daily walkers, fitness classes. Our children’s Summer Day Camp program will be finished soon. We will have open enrollment for our after-school program.

Mill Avenue Recreation: Pickleball is played Monday, Wednesday, Friday and Sunday mornings. Cornhole games are bringing in a lot of players. Prowlers are gearing up for football, volleyball and cheer. Practices have already started.

Mill Avenue Pool/Freedom Park Splash Pad: Both the pool and splash pad are opened every day from noon until 6 p.m.

Freedom Park: Contractors are on site working on field lighting, pickleball courts and a ballfield over haul.

Senior Center: The seniors are staying busy this month playing pickleball, bingo, quilt making class, line dancing classes, watercolor classes and so many more fun activities. Please check out the Garden of Eden Senior Center Facebook page with a schedule full of events.

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

Local Codes Inspections July 1, 2024- July 31, 2024

Total Local Code Inspections Performed 124

Local Code Notices Sent 48

Local Codes Abated 54

Inspections & Permits July 2024

Total Inspections Performed 295 (Does not include fire inspections)

Total Permits Issued 145

Boards & Commissions

The Community Appearance Commission did not meet for the month of July.

The Historic Preservation Commission did not meet for the month of July.

The Tree Board did not meet for the month of July.

The Planning Board met for the month of July to advise and review on a street closing case SC-24-02.

Veterans Park Beautification Project: Phase III- Community Appearance Commission

Staff has been collaborating with the Division of Design & Construction to design an ADA accessible to walkway to the monument at the Veterans Park located near Fieldcrest Road and Main Street in the Draper area. The Community Appearance Commission has plans of outlining the walkway with a brick boarder and offer residents to purchase an engraved brick "In Honor" or "In Memory" of a veteran.

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Staff has ordered two physical signs from Randy's Custom Lettering located in Walnut Cove, N.C. Staff has contacted NC DOT about the right-of-way encroachment easement/agreement for one of the sign locations near Third Avenue and East Stadium Drive for the other sign location. Staff anticipates installation of the signs in late August early September.

30 for 30 Tree Planting Campaign- Tree Board

Staff has been finalizing the details of the campaign and plans to launch the campaign the first of September 2024 and run it through February 2025. City social media posts, flyers and local media outlets will market the campaign during the stated timeframe. Planting of trees will commence March through May of 2025.

POLICE DEPARTMENT

July 1, 2024 marked Ramona Bowman's official retirement date. Ramona served the citizens of Eden for 25 years and intends to return as a part time employee during the month of August.

During the month of July, we continued our recruitment efforts in search of quality applicant to attend the Fall BLET program. We completed backgrounds on four (4) applicants who will begin the fall BLET class that begins on August 6, 2024. Andrew Zook, Thomas Lunsford, Robert Edens and Wesley Childress officially became Eden Police Cadets on July 31, 2024

We received four (4) Dodge Durango's as part of our 10-year vehicle replacement plan as approved in the FY24-25 budget CIP. The vehicles are being staged at the city shop. All equipment for the vehicle's upfitting has been ordered, with an expected 10-12 week delivery time.

FIRE DEPARTMENT

The Fire Department responded to 97 calls for the month of July. The Fire Marshal completed 67 inspections the month of July. Fire Station 2 will have employees back in the station the week of August 5. Fire Station 2 has an open house on August 14. At Station 4 the renovation project is complete. They are looking to have a cement pad done on the hillside to move the metal carport.

PUBLIC WORKS DEPARTMENT

Streets

Maintenance activities have focused on patching 139 tons used based on asphalt plant availability and concrete work 104 yards on Stadium Drive at the Fire Department has been completed. Streets are currently working on our street signs and traffic sign maintenance program along with vegetation control 4.5 miles on our City streets and curb and gutters. Streets have removed several bags of litter from our city streets. Streets have removed 450 cubic yards of leaves/grass clippings for leaf Collection. Mowing Crew has taken care of 22.50 acres of vegetation owned by the City of Eden.

Construction

The Construction Crew has finished up Bridge Street municipal parking lot. Poured concrete around EV chargers and behind dumpster pad and finished up mulching. Parking is complete including the asphalt patching that was needed. They are waiting on the fence contractor to install the fence around the dumpster pad. Construction has worked on stabilization of the riverbank on the Dan River outfall off the end of McConnell Street by adding dirt in a sheer line through a stretch of the bamboo forest to keep surface water out of the sheer line and by installing 143.4 ton of class 2 riprap along river bank where it had sheared off and dropped down. On East Meadow Road to Weaver Street side installed 80 feet of 18" RCP and a 2' by 3' by 3' waffle box with a frame, grate, and hood. They have hauled dirt in for backfill. Construction will be pouring approximately 14 feet of curb to tie in box to existing curb today and should complete job tomorrow by finishing backfill and sowing. On Jarrett Street they added approximately 80 feet of shoulder stone in front of residence and where else was needed along street due to resurfacing.

Collections & Distribution

Collection and Distribution crews continue to maintain water and sewer repairs as they are reported. With new hires and CDL training, our Collections & Distributions crew is building a stronger more efficient division. Water leaks were on the increase from last month and our crews have been battling the extreme heat to make sure repairs are made.

Solid Waste

The Solid Waste Division continues 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 168.91 tons. The amount of vegetative tonnage (brush) collected in July was 14.11 tons while bulk waste tonnage collected was 199.20 tons.

Fleet

The Fleet Division had 170 work orders which includes all outside repairs, road calls as well as regular service, tires and NC inspections.

Utilities

Staff discussed asset software and everyone agreed NOVO is the best choice. Staff met to discuss what we could do internally to help reduce costs for the Railroad access improvements. While we also looked at our choices of telehandlers to make a decision on which we wanted. Rural Water hosted a continuing education class for the water and wastewater credit. Staff presented a power point presentation on the drought preparation to show them what steps will be follow if we find ourselves in more dire conditions. A change order has been agreed upon and submitted for the North Basin cleanout project. A new service truck was purchased for water resources. After presenting the sewer agreement to council on July 16, it was decided to postpone a decision for further review. On July 24, it was presented again with changes and approved. This will go into effect next July.

CONSENT AGENDA:

- a. Approval and adoption of the (1) July 16 regular meeting minutes and (2) July 24 special meeting minutes.
- b. Approval and adoption of Budget Amendment #4.

Assistant Finance Director Amy Winn wrote in a memo: The attached budget amendment appropriates ARPA funds to the Water & Sewer fund for the purchase of a service truck for Water Resources. These funds were appropriated in FY 23-24; however, the truck was not delivered until July 2024.

Subject:		Budget Amendment # 4			
	Account #	From	To	Amount	
Water & Sewer Fund Revenues					
Transfer from ARPA	30-3984-90000	\$ 1,084,500.00	\$ 1,235,500.00	\$ 151,000.00	
Water & Sewer Fund Expenditures					
Water Resources C/O Vehicles	30-7110-55000	\$ -	\$ 151,000.00	\$ 151,000.00	

Appropriate ARPA funds to Water & Sewer Fund for the purchase of Water Resources service truck.

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

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

c. Approval and adoption to amend Chapter 10 of the Code of Ordinances.

Ms. Gilley wrote in a memo: City staff has prepared an amendment to the Safety and Loss Control Section of Chapter 10. These changes will assist in streamlining the Safety Committee as well as providing an accountable way to transition in new members. It reduces the number of employees on the monthly committee but provides sufficient representation from all Departments. There was also a need to account for the Departmental Changes that have occurred in the last 10 years and make the ordinance cohesive with the current organizational structure. Staff recommends that you approve this Amendment. Please contact me with any questions you may have.

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

ANNOUNCEMENTS:

Mayor Hall congratulated Marketing & Special Events Manager Cindy Adams and her crew on Touch-A-Truck which had not been rained out or postponed. It was very well attended and continued to get bigger and better. Shaggin' on Fieldcrest would be Thursday, Aug. 29 from 5 to 10 p.m. from being rained out previously. Grown & Gathered would be Thursday, Oct. 3 from being rained out as well. Uptown Cruisers and Grease movie would be Friday, Oct. 4 and it had been rained out as well twice. He encouraged everyone to check the Explore Eden website which had the events posted. The City was getting into festival season including the signature RiverFest in September which had a lot of new stuff and exciting additions. He thanked all the employees who participated in Touch-A-Truck on a hot Saturday morning. The kids had a blast. He recognized Jim Burnette in the audience and said he saw him standing in line everywhere he looked at Touch-A-Truck. He did not know who was having more fun. He thanked Ms. Adams for organizing it.

Council Member Wood commended the City Manager and employees for working so hard during Tropical Storm Debby. He saw employees out working, cleaning ditches. There had been meetings, correspondence and Code Red. He thought it went well. He did not know of anyone else in the County who had worked that hard so he commended staff for that and keeping Council updated.

Council Member Epps thanked the City Manager who he had spoken with about the bridge construction. Council Member Epps told Mr. Mendenhall to suggest with just a few more feet, the bridge could be made four lanes above and below and they had agreed. That gave a good start if down the road that area would be four lanes.

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

Council Member Underwood was happy to say Fire Station 2 was open and it looked good. He knew citizens were glad to have their truck back in the station. Station 4 looked good as well.

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

Eden ABC Board
318 N. Pierce St.
Eden, NC 27288

August 30, 2024

Deanna Hunt
City Clerk
City of Eden
PO Box 70
Eden, NC 27288


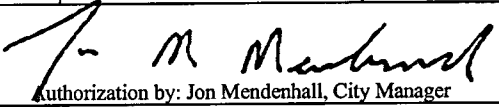
Dear Ms. Hunt:

I am writing at the request of the Eden ABC Board. N. C. General Statute 18B-700(g2) Requires that the Local ABC Board adopt a travel policy that conforms to the Travel Policy of the appointing authority, and such policy is to be approved by the appointing authority annually. We are seeking this approval from the Eden City Council. If approved as stated in the statute, the local board shall annually provide the appointing authority's written confirmation of such approval to the ABC Commission, and a copy of the Travel Policy authorized by the appointing authority.

I am requesting that City Council consider this item on their consent agenda at the September 17th meeting.

Sincerely,

Gary W. Robinette
General Manager

		ADMINISTRATIVE POLICIES & PROCEDURES MANUAL		Subject: Travel Policy	
Number: FIN-9		Revision: 3	Effective Date: July 1, 2023		Page: 1 of 8
Supersedes: January 1, 2015		 Authorization by: Jon Mendenhall, City Manager			

Purpose.

The purpose of this travel policy is to establish procedures for authorization of travel by City employees, elected officials, and appointed officials for the purpose of conducting City business and to establish procedures for reimbursement of the cost of authorized travel.

Guidelines.

A. Authorization

The City Manager's advance approval is required for all in-state travel for employees.

1. For all in-state travel, the department head is responsible for assuring that unexpended funds remain in travel budgets and approving travel on an Overnight Travel Request Form. The City Manager must approve all travel requests by department heads or appointed officials as requested on an Overnight Travel Request Form.

The City Manager's advance approval is required for all out-of-state travel.

1. Request for authorization of all travel is secured by submitting an Overnight Travel Request Form to the appropriate authority no later than five working days prior to the date of travel after approval; the Overnight Travel Request Form is forwarded to the Finance Office for processing.
2. No travel will be approved by the department head or the Finance Office unless it has been determined that a sufficient unencumbered appropriation remains in the appropriate travel account.

B. Advance Arrangements

1. Employees are encouraged to make advance arrangements -for travel, including lodging and transportation to secure the best rate possible. Such advance reservations should be noted on the Overnight Travel Request

Form whenever possible.

2. Parties traveling on City-related business are encouraged to travel together, when possible, to minimize cost.

C. Reconciliation

1. All Reconciliation with the City for travel expenses is required within ten days after the completion or the travel on a Travel Expense Form. Approval of the Travel Expense Form is required by the individual approving the original Overnight Travel Request Form which authorized the travel. Approval of the Travel Expense Form shall be based on compliance with this policy, particularly the reimbursement rates. Failure to complete the reconciliation will result in disciplinary action.

Limits on Cost of travel.

A. Transportation Costs.

1. All necessary bus, train and air transportation should be obtained at the most economical rate available and paid for either in advance or as a reimbursement,

2. All Vehicles.

- *Personal automobiles:*

A requesting party may use a personal automobile for authorized travel and be reimbursed on a mileage basis established by the Federal Government and Internal Revenue Service.

- *City vehicles:*

City automobiles may be used for any authorized travel. In such cases, the employee should use caution in using the City vehicle only for the purposes of that travel, including travel to and from meal sites and minimize the personal use of that vehicle on said travel.

- *Rental vehicles:*

A rental automobile maybe used on City-authorized travel if ii is determined to be economical and practical. A rental automobile should be used for business purposes only.

3. Local Transportation

Local transportation at the destination of out-of-town travel will be reimbursed. The most economical and reasonable form or transportation should be used. Receipts should be obtained when possible and submitted with the Travel Expense Report. This includes taxis, buses, subways, etc.

A. Lodging.

2. An individual traveling on City business overnight may be reimbursed for lodging in one of two ways:

- A flat rate per diem allowance will be paid with no receipts required in accordance with the IRS per diem rates in effect at the time of the overnight trip; or
- Lodging will be reimbursed at the actual amount incurred. Receipts for lodging costs must be submitted along with the Travel Expense Report. A deduction from any such lodging receipts for personal expenses will be made unless authorized by this policy. Additional costs for lodging for persons accompanying the authorized individual (such as spouses or children) will be reimbursed to the City by the individual. Individuals selecting to use this form of reimbursement should stay at the "host" hotel/motel whenever possible or one that is comparably priced.

B. Meals.

1. An individual traveling on City business overnight may be reimbursed for meals as follows:

A flat rate per diem allowance will be paid with no receipts required of \$55.00 per day for in-state travel and IRS per diem rate per day for out-of-state travel or \$55.00 whichever is greater.

Breakfast	12.00
Lunch	15.00
Dinner	28.00

The City Manager may approve direct reimbursements over the maximum allowance in special situations.

3. A requesting party who is out-of-town on a one-day trip will be reimbursed for one meal only (lunch @ \$15.00), unless the specific necessity of the travel begins before the normal breakfast time or extends beyond the normal dinner time.
4. Meetings in required for City business for which a meal is required will also be reimbursed by the City upon presentation of valid receipts.

C. Other Costs.

1. Business-related local and long-distance calls are eligible expenses. One "safe arrival" long-distance call may be charged. On trips of more than two nights, one additional personal call to confirm departure or arrival times will be eligible. The calls will be limited to ten minutes in duration.

2. Receipt-supported registration fees for a conference, convention or class will be reimbursed.

3. Gratuities paid for baggage handling at hotels, airports, etc. will be reimbursed at a reasonable rate.

Travel Expenses of Spouses.

It is a policy of the City of Eden to not pay all travel expenses of the spouses of employees or other individuals at conferences/conventions, etc.

Payment of Travel Expenses for Other Private Citizens.

It is the policy of the City of Eden to pay expenses for individuals who are not elected officials or not in the employment of the City who attend meetings and conferences according to the following guidelines:

1. The individual must serve on an existing Board, Commission or Committee appointed by the City Council.
2. The purpose and subject of the trip must be current importance and applicability to an aspect of concern in Eden.
3. Approval for all such trips involving out-of-state travels or overnight accommodations must be secured in advance from the City Manager. Day trips within the State must be approved in advance by the City Manager.
4. The payment of expenses under this policy shall be in accordance with regulations governing expenses for all of the City employees and subject to the availability of the appropriate funds.

Frequent Flyer Credits.

Any credits earned by City officials for frequent flyer programs and other such incentive programs may be accumulated and inured to the benefit of the individual. In such cases, however, the individual is still required to the most economical arrangement for such travel.

Travel Expenditures

A. The city provides funds for training, education, and attending meetings and seminars pertaining to the educational development of all appointed and elected officials and employees. These individuals are encouraged to avail themselves of this opportunity. Additionally the city reimburses other travel expenses related to city business

1. The City will reimburse employees for the following:
 - Registration fees
 - Books, required materials and related study material
 - Meals

- Motel Expenses
 - Mileage for use of personal vehicles
 - Gas expenses in City owned vehicles
 - Parking tickets, meters, tolls, bus or cab fares, air fares, and car rentals
 - Social and recreational activities and events associated with the conference, class or convention
 - Telephone calls for business related information - location of restaurants, directions, etc.
- J. Gratuity payments to waiters and waitresses

2. The City will not reimburse employees for the following while on city business:

- Spouses
- Non-employee individuals
- Social or recreational activities and events not associated with the conference, class or convention
- Alcoholic beverages
- Personal telephone calls from location to home - except for sickness or other emergency

3. City officials and employees should use professionalism and integrity in abstaining from the excessive use of alcoholic beverages while representing the City at an official function or other activity during seminars. Regular pay will continue during an employee's absence from the City while on official business or attending training or educational functions, and will be considered as officially working. Such time will not be counted against his authorized leaves.

4. Personal use of City Provided Vehicles:

By using the Internal Revenue Service guidelines and regulations, the Director of Finance and Personnel is responsible for providing the employee with the least expensive method of computing this benefit as reported on their annual W-2s.

B. Travel Expense Reports:

The next regular work day or no later than ten days after returning from the meeting, a written expense report signed by the employee and approved by the immediate supervisor must be turned into the Finance Department with the following information.

1. Meals - No receipts required, since reimbursement is on a per diem basis.
2. Motel expense - receipt must be attached IF option (b) for reimbursement is selected. If option (a) is selected, no receipts are required, since reimbursement is on a per diem basis.

3. Odometer readings or a reasonable estimate is acceptable for use of personal vehicles at the rate approved. Use the shortest routes possible either from your home or workplace. When available, employees should try to use City owned vehicles rather than their personal cars while on city business.
4. Actual gas expense receipts used in City owned vehicles.
5. Parking tickets, meter tolls, bus or cab fares, air fares, and car rentals - receipts should be attached.
6. Employees who forget or there is no way to obtain receipts, a reasonable estimate is appropriate.

Failure to adhere to the prescribed time frame will in disciplinary action.

APPLICATION:

Department Heads, in cooperation with the Finance Office, shall be responsible for establishing and maintaining the record keeping and reporting necessary to ensure compliance with this policy.



City of Eden
308 E. Stadium Drive
Eden, NC 27288

Overnight Travel Approval Form

Department: _____

Purpose of Travel: _____

Dates of Trip: _____ to _____

Employees Traveling: _____

Method of Travel: _____

Estimated Cost Breakdown:

Travel	\$ _____
Lodging	\$ _____
Meals	\$ _____
Conference Fees	\$ _____
Other	\$ _____

Total	\$ _____

Approved By:

Department Head

Date

City Manager

Date



City of Eden Travel Expense Report

Name: _____ Date: _____

Purpose of Trip: _____

Meals & Tips (Attach Receipts)

Date	Breakfast	Tip	Lunch	Tip	Dinner	Tip	Total
	\$	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$	\$
Total	\$	\$	\$	\$	\$	\$	\$

Other Expenses

Description	
Motel	\$
Plane or Train Fare	\$
Registration Fee:	\$
Private Car Allowance _____ Miles @ \$	\$
Beginning Mileage _____ Ending Mileage	
Gas for City Vehicle _____ Gallons _____	\$
Miscellaneous	\$
Total Expenses	\$
Less Amount Advanced:	\$
Total Due City	\$
Total Due Individual	\$

Submitted By: _____ Account Number: _____ Date _____

Approved By: _____
Finance Director Date

City Manager Date

NOTE: IF YOU USE A CITY VEHICLE, FILL UP BEFORE LEAVING EDEN. GAS FOR CITY VEHICLE SHOULD BE WRITTEN UP AND SUBMITTED SEPARATELY. ALSO, THE CITY IS ABLE TO OBTAIN A REFUND OF ALL NC SALES TAXES PAID AND SHOWN ON RECEIPTS.



**RESOLUTION
APPROVING EDEN ABC BOARD TRAVEL POLICY**

WHEREAS, the City of Eden is the appointment authority for the local ABC Board, and;

WHEREAS, pursuant to N.C.G.S. § 18B-700(g2), the City of Eden, as the appointing authority, shall approve the travel policy adopted by the local board. Such travel policy shall conform and be the policy used by the City of Eden.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Eden that the local ABC Board has adopted a travel policy that is identical to and conforms to the travel policy of the City of Eden, and that the City Council for the City of Eden hereby approves such policy.

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of September, 2024.

City of Eden

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk



To: Honorable Mayor and City Council

Thru: Jon Mendenhall, City Manager

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

Date: September 17, 2024

Re: Capital Project Ordinance

The attached Capital Project Ordinance adopts a capital project fund to appropriate grant funds received from North Carolina Department of Environment and Natural Resources – Water Infrastructure Fund for wastewater projects and wastewater collection system rehabilitation. City Council accepted this grant at the council meeting on May 21, 2024.

**Post EPA Sewer System
Capital Project Ordinance**

Be it Ordained by the Governing Board of the City of Eden, North Carolina, that pursuant to section 13.2 of Chapter 159 or the General Statutes of North Carolina, the following capital Project Ordinance is hereby adopted.

Section 1: The projects authorized are the Smith River Sewer Siphon Replacement and the Kings Highway Sewer Line Replacement to be financed by a General Assembly appropriation.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the board resolution, grant documents, and the budget contained herein.

Section 3: The following amounts are appropriated for the projects:

Smith River Sewer Siphon Replacement	\$ 5,000,000
Kings Highway Sewer Line Rehab	\$ 2,000,000
	<u>\$ 7,000,000</u>

Section 4: The following revenues are anticipated to be available to complete this project:

General Assembly Appropriation	<u>\$ 7,000,000</u>
--------------------------------	---------------------

Section 5: The finance officer is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations.

Section 6: Funds may be advanced from the Water/Sewer Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7: The Finance officer is directed to report, on a quarterly basis, on the financial status of each project element in section 3 and on the total grant revenues received or claimed.

Section 8: The Budget Officer is directed to include a detailed budget analysis of past and future cost and revenues on this capital project in every budget submission made to this board.

Section 9: Copies of this project ordinance shall be furnished to the clerk of the Governing Board, and to the Budget Officer and the Finance Officer for direction in carrying out this project.

Duly adopted this 17th day of September 2024.

Neville Hall, Mayor

Certification

I Deanna Hunt, the duly appointed Clerk to the City Council of the City of Eden, North Carolina, do hereby certify that that the foregoing is a true and correct copy of which was adopted by the City Council at its regular meeting held on the 17th day of September 2024.

Deanna Hunt, City Clerk

CITY OF EDEN – MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL

THRU: JON MENDENHALL, CITY MANAGER

FROM: ERIN GILLEY, CITY ATTORNEY

DATE: SEPTEMBER 6, 2024

SUBJECT: RESOLUTION TO RESCIND RESOLUTION DATED JULY 24, 2024

On July 24, 2024, the City Council adopted a Resolution to adopt the City and County Public Utilities Agreement upon execution of both parties and to authorize the acquisition of Fishing Creek Pump Station and accompanying lines upon an agreed upon price. The County has declined to accept this agreement and offer. As a result, staff is requesting the City Council to rescind the Resolution to Adopt and Approve the City County Public Utilities Agreement dated July 24, 2024 at your September City Council meeting. Please contact me if you have any questions.

RESOLUTION RESCINDING “RESOLUTION TO ADOPT AND APPROVE THE CITY COUNTY PUBLIC UTILITIES AGREEMENT”

WHEREAS, on July 24, 2024, the City Council adopted a Resolution to adopt the City and County Public Utilities Agreement upon execution of both parties; and

WHEREAS, said Resolution also authorized City staff to finalize the acquisition of Fishing Creek Pump Station and accompanying lines from Rockingham County; and

WHEREAS, Rockingham County has declined to accept the terms of the City County Public Utilities Agreement adopted by the City Council; and in the opinion of City Council, it is deemed in the best interest of the City of Eden to rescind the Resolution to Adopt and Approve the City County Public Utilities Agreement dated July 24, 2024; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Eden that the Resolution to Adopt and Approve the City and County Public Utilities Agreement is hereby rescinded;

BE IT FRUTHER RESOLVED, by the City Council for the City of Eden that the City Manager is authorized to in all aspects rescind the Resolution to Adopt and Approve the City and County Public Utilities Agreement adopted by City Council on July 24, 2024, authorizing the adoption of the Agreement and the acquisition of Fishing Creek Pump Station and accompanying lines from Rockingham County.

APPROVED, ADOPTED AND EFFECTIVE this ____ day of September, 2024.

CITY OF EDEN

By: _____
Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

CITY OF EDEN
OFFICE OF CITY MANAGER

MEMORANDUM

TO: Honorable Mayor Neville Hall, and Members of the City Council

FROM: Jon M. Mendenhall, City Manager

SUBJECT: Update of Schedule of Rates and Fees for Bulk Users

DATE: 9/12/24

ENCL: None

CC: File

In order to update a sewer rate for bulk/large volume users, the following adjustments to the Schedule of Rates and Fees are necessary, effective January 1, 2025:

1. The Economic Development rate schedule found on Page 18 will be rolled into a Bulk Rate Schedule, the actual rates will be used accordingly in the new Bulk Rate Schedule.
2. The Non-contract Industrial High Volume Usage Economic Development Water & Sewer Rates will be updated to tie to the Economic Development rate schedule and tiered based on benefit to the City's tax and utility customer base (inside rates) or solely to the utility customer base (outside rates). The update will rename, clarify, and expand rate tiers under the new name of the new Bulk Rate Schedule.
3. The Bulk Rate Schedule will be used to replace the entirety of Page 18, and is included below:

Industrial
Bulk Rate Schedule

Bulk Rate Tier	Bulk Rate Categories of Usage		Inside Water	Outside Water	Inside Sewer	Outside Sewer
	Min Gal/Mo	Max Gal/Mo	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal
Tier 1	500,000.00	1,000,000.00	\$ 6.53	\$ 13.06	\$ 11.64	\$ 23.28
Tier 2	1,000,001.00	1,500,000.00	\$ 6.41	\$ 12.82	\$ 11.43	\$ 22.86
Tier 3	1,500,001.00	2,000,000.00	\$ 6.30	\$ 12.59	\$ 11.22	\$ 22.45
Tier 4	2,000,001.00	3,000,000.00	\$ 6.25	\$ 12.49	\$ 11.13	\$ 22.27
Tier 5	3,000,001.00	5,000,000.00	\$ 6.20	\$ 12.39	\$ 11.05	\$ 22.09
Tier 6	5,000,001.00	10,000,000.00	\$ 6.15	\$ 12.29	\$ 10.96	\$ 21.91
Tier 7	10,000,001.00	30,000,000.00	\$ 6.10	\$ 12.20	\$ 10.87	\$ 21.74

Notes for Industrial Bulk Rate Schedule:

1. Industrial bulk users are defined as users with above 500,000 gallons per month water and/or sewer usage. If a user falls under 500,000 gallons per month annual average monthly consumption the user will not be eligible for the industrial bulk rate schedule.

2. Industrial bulk rate users are single accounts, non-purchase systems, water and sewer may not be resold.
3. Industrial bulk rate users in excess of the maximum monthly consumption or that offer compelling economic development opportunities are encouraged to negotiate contract rates that are more advantageous than the schedule found herein.

Institutional (Governmental & Hospital)
Bulk Rate Schedule

Bulk Rate Tier	Bulk Rate Categories of Usage		Inside Water	Outside Water	Inside Sewer	Outside Sewer
	Min Gal/Mo	Max Gal/Mo	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal
Tier 1	500,000.00	1,000,000.00	\$ 6.25	\$ 12.50	\$ 11.50	\$ 23.00
Tier 2	1,000,001.00	1,500,000.00	\$ 6.03	\$ 12.05	\$ 10.81	\$ 21.62
Tier 3	1,500,001.00	2,500,000.00	\$ 5.81	\$ 11.62	\$ 10.16	\$ 20.32

Notes for Institutional (Governmental & Hospital) Bulk Rate Schedule:

1. Institutional (Governmental & Hospital) bulk users are defined as users with above 500,000 gallons per month of water and/or sewer usage. If a user falls under 500,000 gallons per month annual average monthly consumption the user will not be eligible for the institutional (governmental and hospital) bulk rate schedule.
2. Institutional (Governmental & Hospital) bulk rate users are single accounts. Should a institutional (government and hospital) customer operate a purchase system and resell water and/or sewer services, the ratio of end-users shall be seventy five percent (75%) institutional (government and hospital), when the usage ratio falls below seventy five percent (75%) the customer's entire usage will be billed at the prevailing commercial rate. Customers shall be responsible for providing, upon request, proof of the customer's usage.
3. When the annual average consumption exceeds 2,500,000 gallons monthly the customer will be considered commercial and billed at the corresponding commercial rate for all their usage.

The section being replaced is excerpted below for reference purposes:

Economic Development Rate (single accounts - rate will be charged on any usage more than 500,000 gallons but less than 3,000,000 per month)

	July 1, 2024	
	Inside City Monthly	Outside City Monthly
Per 1,000 Gallons Usage Charge	5.70	11.40
Per 1,000 Gallons Usage Charge	11.16	22.32

Non-Contract Industrial High Volume Usage Economic Development Water & Sewer Rates**

Daily Usage Gallons per day	Monthly Usage Gallons per day	Water per 1000 gallons	Sewer per 1000 gallons
100,000 - 167,000	3,000,000 - 5,000,000	4.23	5.01
167,001 - 250,000	5,000,001 - 7,500,000	4.13	4.76
250,001 - 375,000	7,500,001 - 10,000,000	4.03	4.61
375,001 - 500,000	10,000,001 - 15,000,000	3.93	4.46
500,001 - 750,000	15,000,001 - 22,500,000	3.83	4.36
750,001 - 1,000,000	22,500,001 - 30,000,000	3.73	4.26
1,000,001 - 2,000,000	30,000,001 - 60,000,000	3.64	4.16
2,000,001 - 3,000,000	60,000,001 - 90,000,000	3.54	4.06

**These rates run for 12 months (January to December) and the usage is assessed annually each November for the following coming year's billing rate (beginning January 1st) based on the previous year's average monthly usage. These rates are adjusted annually based on the audit as the contracted rates are adjusted each year.

Lower Contract Rates are available based with terms and agreements of extended use for set periods of time. Contract rate requests must be made through the Economic Development Department for the Eden city Council's consideration and approval.

ORDINANCE TO AMEND THE 2024-2025 BUDGET ORDINDANCE FOR THE CITY OF EDEN, NORTH CAROLINA

WHEREAS pursuant to NCGS § 162-A, the City of Eden must fix and revise, at times, its water and sewer fees, and charges so that the revenues of the City, together with any other available funds, will be sufficient at all times to pay the cost of maintaining, repairing, and operating the systems or parts thereof owned or operated by the City; and

WHEREAS the City believes that it is in the best interest of the City, and is fair and equitable to revise its water and sewer rates with regard to the bulk sale of water and sewer treatment;

BE IT ORDAINED by the City Council of the City of Eden, North Carolina, that Section 13, Tax and Service Rates, Sub-Section 17 Water and Sewer Fees, (Page 18 of the Tax and Service Rates will be replaced in its entirety) of the Budget Ordinance adopted June 18, 2024, is amended as follows:

Industrial
Bulk Rate Schedule

Bulk Rate Tier	Bulk Rate Categories of Usage		Inside Water	Outside Water	Inside Sewer	Outside Sewer
	Min Gal/Mo	Max Gal/Mo	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal
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Notes for Industrial Bulk Rate Schedule:

1. Industrial bulk users are defined as users with above 500,000 gallons per month water and/or sewer usage. If a user falls under 500,000 gallons per month annual average monthly consumption the user will not be eligible for the industrial bulk rate schedule.
2. Industrial bulk rate users are single accounts, non-purchase systems, water and sewer may not be resold.
3. Industrial bulk rate users in excess of the maximum monthly consumption or that offer compelling economic development opportunities are encouraged to negotiate contract rates that are more advantageous than the schedule found herein.

Institutional (Governmental & Hospital)
Bulk Rate Schedule

Bulk Rate Tier	Bulk Rate Categories of Usage		Inside Water	Outside Water	Inside Sewer	Outside Sewer
	Min Gal/Mo	Max Gal/Mo	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal
Tier 1	500,000.00	1,000,000.00	\$ 6.25	\$ 12.50	\$ 11.50	\$ 23.00
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Notes for Institutional (Governmental & Hospital) Bulk Rate Schedule:

1. Institutional (Governmental & Hospital) bulk users are defined as users with above 500,000 gallons per month of water and/or sewer usage. If a user falls under 500,000 gallons per month annual average monthly consumption the user will not be eligible for the institutional (governmental and hospital) bulk rate schedule.
2. Institutional (Governmental & Hospital) bulk rate users are single accounts. Should a institutional (government and hospital) customer operate a purchase system and resell water and/or sewer services, the ratio of end-users shall be seventy five percent (75%) institutional (government and hospital), when the usage ratio falls below seventy five percent (75%) the customer’s entire usage will be billed at the prevailing commercial rate. Customers shall be responsible for providing, upon request, proof of the customer’s usage.
3. When the annual average consumption exceeds 2,500,000 gallons monthly the customer will be considered commerical and billed at the corresponding commerical rate for all their usage.

This Ordinance Amendment shall be effective on January 1, 2025.

APPROVED, ADOPTED this ____ day of September 2024.

CITY OF EDEN

By: _____
Neville Hall., Mayor

ATTEST:

Deanna Hunt, City Clerk