

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.

Ferry Road Sign Project- Historic Preservation Commission

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	<u>\$ 151,000.00</u>	
Water & Sewer Fund Expenditures					
Water Resources C/O Vehicles	30-7110-55000	\$ -	\$ 151,000.00	<u>\$ 151,000.00</u>	

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