

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, August 20, 2013 at 7:30 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	(absent)	John E. Grogan
Mayor Pro Tem:		Wayne Tuggle, Sr.
Council Members:		Donna Turner
		Darryl Carter
		Jerry Epps
		Gene Hagood
		Jim Burnette
		Jerry Ellis
City Manager:		Brad Corcoran
City Clerk:		Sheralene Thompson
City Attorney:		Erin Gilley
Representatives from Departments:		
News Media:		Katie Mann, Eden News and Roy Sawyers, RCENO

MEETING CONVENED:

Mayor Pro Tem Tuggle called the regular meeting of the Eden City Council to order and welcomed those in attendance. He explained that the Council meets the third Tuesday of each month at 7:30 p.m. and works from a prepared agenda; however, time would be set aside for business not on the printed agenda.

INVOCATION:

Mr. Wayne Parleir, Pastor, Meadow View United Methodist Church, gave the invocation followed by the Pledge of Allegiance.

PROCLAMATIONS AND RECOGNITIONS:

- a. Proclamation Honoring Late Mayor John E. Grogan

Mayor Pro Tem Tuggle recognized Mrs. Sylvia Grogan, widow of the late Mayor John E. Grogan and Ms. Meredith Lacopo, their daughter. He then read the following proclamation which was framed and presented to them.

**Proclamation  
Mayor John E. Grogan**

**WHEREAS**, Mayor John E. Grogan faithfully served the citizens of Eden as a City Councilman for 20 years and as Mayor Pro Tem for 16 years and as Mayor for 8 years ; and

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**WHEREAS**, John E. Grogan was born and reared on The Boulevard in Eden. He retired from BB&T Bank where he served as Rockingham County Executive, and after retirement, assumed the position of President of the Eden Chamber of Commerce; and

**WHEREAS**, John E. Grogan devoted many years to making a positive difference and earned the respect, admiration and high regard of all those with whom he came in contact, and will be missed by all those whose lives he touched, especially the Eden City Council and city employees; and

**WHEREAS**, during his professional life John E. Grogan gained respect for his determination to bring economic development to Eden including being awarded the first Economic Development Star Award for his efforts in the recruitment of Schleigel and Rexam Release. He served as Chairman of the Eden Chamber of Commerce Board of Directors during the recruitment of the Miller Brewing Company and while serving as the President of the Chamber, he helped to lure AC Furniture Company and Gildan Activewear to Eden; and

**WHEREAS**, John E. Grogan actively promoted economic development in the Piedmont Triad region, consistently collaborating with other local governments with the goal of improving his community; and

**WHEREAS**, John E. Grogan served as Chair of the Morehead Memorial Hospital Trustees and also was a faithful member of Leaksville United Methodist Church, and was involved with the Eden Rotary Club, the United Way, the YMCA, and the Piedmont Sports Council; and

**WHEREAS**, in 2011, John E. Grogan led a delegation of 34 Eden residents to Kansas City, MO where Eden received the prestigious All-America City Award proving the fact that he was Eden's greatest cheerleader; and

**WHEREAS**, John E. Grogan has been honored as Eden's Citizen of the Year, received a Wal-Mart Community Citizenship Award, was named a Rotary International Paul Harris Fellow, and in February of 2013 was a recipient of the Order of the Long Leaf Pine – one of the highest honors a Governor can bestow on a North Carolina citizen.

**NOW THEREFORE**, be it hereby resolved that the City of Eden City Council honors the life of Mayor John E. Grogan who passed away on July 4, 2013, and extends to his wife Sylvia, and his family its sincere sympathy. The Council expresses sincere appreciation for his leadership, his unselfish and dedicated devotion, and his significant impact on and contributions to the City of Eden.

Adopted this 20th day of August, 2013 by the Eden City Council.

Wayne R. Tuggle, Sr.,  
Mayor Pro Tem

- b. Recognition – NC Area Wide Optimization Award to City of Eden Water Treatment Division.

Mayor Pro Tem Tuggle asked the following employees from the Water Treatment Division to come forward to recognize them for their award.

Dena Spencer-Reid, Superintendent; Sammy Setliff, Grade A Operator; Jerry Prillman, Water Resources Maintenance Chief; Melanie Clark, Lab Supervisor and Don Gelinias, Grade A Operator.

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c. Presentation – SKAT Transportation System.

Mayor Pro Tem Tuggle welcomed Mr. Lee Covington, Executive Director and Ms. Meggan Odell, Senior Director, Transit Services, to come forward to update everyone on the SKAT Transportation System since it began last January.

Mr. Covington explained that they wanted to provide everyone with a six month update. They then provided a PowerPoint Presentation.

Ms. Odell added that the estimated monthly ridership initially was 500 trips a month.

Mr. Covington explained that the next chart was the actual ridership. In January of 2013 there were 312 riders (for 3 ½ weeks) as it was launched on January 7. He pointed out that by July of 2013 there were 1470 riders and that was nearly three times their estimate. At this point he stated that they had met or exceeded that number for August. They continued the presentation by showing slides and providing information about the various users.

Council Member Turner asked what the cost of the monthly pass was to which Ms. Odell replied \$35.00 unlimited monthly pass.

Mr. Covington added that they also have a few folks who have taken advantage of that.

Council Member Ellis noted that they also came to the high school for early dismissal and picked up a lot of students and he appreciated that.

Ms. Odell replied that they hope to partner with them again this year.

Mayor Pro Tem Tuggle stated that they would appreciate it if they could come back in 6-8 months with another update.

d. Swearing In – New Members of the Eden Youth Council.

Council Member Burnette recognized all current members of the Eden Youth Council who were present. Mayor Pro Tem Tuggle then asked Kevin Hyler, Emily Prescott, Dana Suleiman, Will Dabbs, Tyler Dabbs and Caroline Jones to come forward to take the oath as new members of the Eden Youth Council.

SET MEETING AGENDA:

A motion was made by Council Member Ellis seconded by Council Member Carter to set the agenda. All Council Members voted in favor of this motion.

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PUBLIC HEARINGS:

- a. Consideration and Approval of Naming a New Park in Honor of Mayor John E. Grogan.

Mayor Pro Tem Tuggle called for a public hearing and asked Mr. Johnny Farmer, Director of Parks & Recreation, to come forward.

Mr. Farmer explained that Mrs. Donna L. Turner, a longtime resident and current City Council Member has submitted a Public Recreational Facility Naming Application for the development and naming of a new public park area on the grounds of the Eden Municipal Building Complex, in honor of former Mayor John E. Grogan.

There was discussion during the February 13, 2013 City Council Budget/Planning Retreat by the City's Economic and Tourism Department about the development of a park area on the grounds of the Eden Municipal Building Complex.

Mrs. Turner and a group of citizens will be seeking funding for the development of the park to memorialize former Mayor John E. Grogan.

Naming the park at this time is crucial to beginning the fund raising process so the necessary funds can be obtained for the development of this park.

No construction will take place on the park until a conceptual site plan and projected costs are submitted to the City Council for final review and approval.

All funds collected for this project will be deposited in a city account to keep track of all donations and allow these donations to be tax deductible.

Mr. Farmer stated that it was his recommendation to name the future park after Mayor John E. Grogan.

Mayor Pro Tem Tuggle asked if there was anyone who wished to speak in favor or in opposition of this request. As no one came forward to speak, he declared the public hearing closed.

A motion was made by Council Member Carter seconded by Council Member Ellis to approve the naming of the future park in honor of Mayor John E. Grogan. All Council Members voted in favor of this motion.

- (a) Consideration of a zoning map amendment request and ordinance to rezone property located at 801 Fieldcrest Road from Industrial Park-1 to Industrial-1. Request submitted by Peter F. Osborne, Authorized Agent for Three D. Properties, LLC. ZONING CASE Z-13-02.

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Mayor Pro Tem Tuggle called for a public hearing and asked Ms. Kelly Stultz, Director of Planning & Inspections, to come forward.

Ms. Stultz explained that the request is to rezone approximately 17 acres from Industrial Park 1 (IP-1) to Industrial-1 (I-1). The IP-1 district is defined as an area within the boundaries of an industrial park or area of light industrial development, but situated where residential development, or prospective development, is in close proximity on one or more sides of the district. This district is usually located along railroad spurs or major thoroughfares, but where certain operations could adversely affect nearby properties. The purpose of this district is to permit the normal operations of almost all industries, excepting those that would be detrimental to adjoining properties. Excluded from this district are those industries which are noxious by their emission of smoke, dust, fumes, glare, noise, and vibrations and those industries which deal primarily in hazardous materials including explosives.

The I-1 district is established as a district in which the principal use of land is for industries which can be operated in a clean and quiet manner. The subject property is located on Fieldcrest Road. The property is bordered on the north by residential property. To the south, across Fieldcrest Road, is the Eden Industrial Park property. To the east is a parcel of industrial property owned by the City of Eden. To the west is industrial property. The subject property contains a large industrial building which has been occupied by various industrial tenants. An I-1 zoning would allow the property to be utilized for some other uses not allowed in the IP-1 district; however, all of these uses are light industrial or commercial/office in nature, and would have no more impact on any surrounding residential properties than those allowed in the IP-1 district. Due to the location of the property and the other light industrial uses in the area, staff is of the opinion that rezoning the property to Industrial-1 would be appropriate for the subject property. Any industrial or commercial uses would of course be required to install any required buffers and other provisions necessary to insulate it from the adjoining residential properties.

Based upon the character of the area and the existing light industrial uses, staff recommends in favor of the request.

Mayor Pro Tem Tuggle asked if there was anyone who wished to speak in favor or in opposition of this request. As no one came forward to speak, Mayor Pro Tem Tuggle declared the public hearing closed.

Council Member Burnette stated that the border on the R-20, that was essentially the same so the residents were still protected in the same manner to which Ms. Stultz replied yes a buffer will have to be put in place.

Council Member Ellis asked where they would like to increase the property from Industrial Park-1 to....to which Ms. Stultz explained that off the top of her head she did not want to tell him but that was something that with the Council's permission they would certainly like to look into to which Council Member Ellis suggested they do that.

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A motion was made by Council Member Epps seconded by Council Member Ellis to approve and adopt the ordinance to amend the zoning map to rezone property located at 801 Fieldcrest Road from Industrial Park-1 to Industrial-1. All Council Members voted in favor of this motion.

REQUESTS AND PETITIONS OF CITIZENS:

*No one came forward to speak at this time.*

UNFINISHED BUSINESS:

- a. Consideration and Approval of Miller Rate Agreement.

Ms. Erin Gilley, City Attorney, explained that this has been negotiated with Miller Coors and approved by staff and Miller Coors. She pointed out that as they could see from the memo it was a ten year agreement with 3 optional five year extensions. There was also a formula for the rate included in the agreement and it was the recommendation of staff to approve the agreement.

Council Member Burnette commented that he thought that from the recognition that was done a bit earlier about the water quality, that was certainly one of the reasons that Miller Coors was here as well.

A motion was made by Council Member Burnette seconded by Council Member Carter to approve the Miller Rate agreement. All Council Members voted in favor of this motion.

NEW BUSINESS:

- a. Recommendation to accept bid on 604 Spring Street.

Ms. Stultz explained that the city has received a bid on the vacant lot located at 604 Spring Street in the amount of \$800.00 from Casandra A. Moore, Agent for Joey R. Clark. The tax value of the property is \$4,917.00.

The advertisement for bids was run in the Eden Daily News on July 14 and 17, 2013. The advertisement for upset bids was run in the Eden Daily news on July 28 and 31, 2013. No upset bids were received.

The house situated on the lot was demolished by the City of Eden as a result of a housing code violation and the lot was purchased by the City at public auction through the collection process. The amounts paid out for the demolition and court proceedings are as follows:

Demolition \$ 3,850.00

Civil costs 242.60

Total \$ 4,092.60

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In addition to the above fees, we advertised for upset bids.

In her opinion, their best outcome is to sell the property, regain what they can and encourage new development on the site. She stated that based upon the foregoing information and the fact that they continue to have to mow and maintain the property; she recommended that the City Council accept the bid.

Council Member Burnette questioned how long the city had owned this property to which Ms. Stultz replied, since 2008.

A motion was made by Council Member Epps seconded by Council Member Burnette to accept the bid on 604 Spring Street. All Council Members voted in favor of this motion.

b. Request to adopt an ordinance for the demolition of a structure at 705 Chatham Court under the City of Eden Human Habitation Ordinance.

Ms. Stultz explained that the Council would find attached to their information a section of the Human Habitation Standards Ordinance relating to the steps to be taken when an owner fails to comply with an order to repair or demolish and a copy of the Complaint and Notice of Hearing Before Housing Inspector Under Housing Code which sets out the violations. The City of Eden Human Habitation Standards Ordinance and the enabling legislation permit the City Council, upon adoption of an Ordinance, to order the repair or demolition of the structure.

An estimate for the demolition of the structure on this property is \$3,900.00. Once the demolition was done at the City's expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments.

This house burned several times, the last being on July 27, 2012. The Planning and Inspections Department waited until the Fire Department, Police Department and insurance company completed their investigation before initiating an action.

Mayor Pro Tem Tuggle commented that this was in the Blue Creek neighborhood.

Council Member Hagood asked if no insurance was involved.

Ms. Stultz replied that they did not know what happened, but it has been sitting a really long time.

Council Member Carter asked if they would follow up just as they had in the past to which Ms. Stultz replied yes.

Council Member Hagood asked, so no one has collected insurance.

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Ms. Stultz replied that she did not know the answer to that question to which Chief of Police, Reece Pyrtle commented that there was a criminal case pending in court.

Council Member Hagood asked so somebody could be liable.

Ms. Gilley explained that there would be a criminal case pending in court but not a criminal case.

Ms. Stultz added that someone could certainly be made responsible.

A motion was made by Council Member Carter seconded by Council Member Epps to adopt the ordinance for the demolition of a structure at 705 Chatham Court. All Council Members voted in favor of this motion.

c. Request to adopt an ordinance for the demolition of a structure at 814 Oak Street under the City of Eden Human Habitation Ordinance.

Ms. Stultz explained that the Council would find attached to their information a section of the Human Habitation Standards Ordinance relating to the steps to be taken when an owner fails to comply with an order to repair or demolish and a copy of the Complaint and Notice of Hearing Before Housing Inspector Under Housing Code which sets out the violations. The City of Eden Human Habitation Standards Ordinance and the enabling legislation permit the City Council, upon adoption of an Ordinance, to order the repair or demolition of the structure.

She explained that an estimate for the demolition of the structure on this property is \$4,500.00. Once the demolition is done at the City's expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments.

Ms. Stultz added that the reason this one cost more, was because there was a lot of stuff in it that also has to be hauled away.

Mayor Pro Tem Tuggle stated that he and Council Member Burnette went in this house and it was awful.

Council Member Burnette asked that if they do approve this he knew that the demolition would take place sometime within a reasonable future, but that front door was open and it appears that the lock has been broken. He asked if she had said that this house could not be burned.

Ms. Stultz replied no because of the stuff that is in it to which Mayor Pro Tem Tuggle asked if that was because of a health hazard. Ms. Stultz explained that the only way the Fire Department could do that was that they have to request permission from the Department of Insurance and the State Fire Marshall's office and they have to prove that their fire staff can receive training for doing the burn and Rockingham Community College gets in involved in that sometimes but this was one that they would not approve.



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A motion was made by Council Member Ellis seconded by Council Member Hagood to adopt the ordinance for the demolition of a structure at 814 Oak Street. All Council Members voted in favor of this motion.

d. Boards and Commissions Appointments.

The following seats have become vacant on the City boards and commissions:

Ward 1 Community Appearance Commission – Sue Abbruzzi (moving out of state)  
Ward 7 Tree Board – Debbie Ellis (resigned due to work conflict)

*No appointments were made at this time.*

e. Discussion on changing minimum standards for mowing yards and serving notices.

Ms. Stultz explained that over the past number of weeks they have discussed a number of things regarding the city's nuisance abatement procedures and the ordinance itself. One of those things, she explained, that she asked come off the agenda until they do some more research on it and bring it back and in recent days the question has been raised by Council Member Turner who was approached by some residents who were concerned about the height they allow grass to get to before they send a notice and the length of time that comes after that notice is sent.

So, what they as a staff would like to ask the Council is to make sure there is some interest in revamping this ordinance and to give them the ability to take that ordinance in hand and compare it to what other jurisdictions were doing and try to make it a more reasonable recommendation to more fully accommodate their community.

Council Member Turner explained that this group that came forward, but even if the Council did something, this was not going to really help their situation. This particular neighborhood group has mowed this yard on many occasions. She would like to help them all but did not want it to be a major financial burden to the city. She explained that she just told them she would try to put it back out here to see what the City Council thought about it.

Council Member Burnette commented that he certainly thought they should look at this. One of the things he had encountered was that when there was a yard in a neighborhood that needs to be mowed and it was done, they have to serve that notice and there was a certain period of time and during that period of time the yard grows even more. He would ask if she would consider this as well when they have a particular yard that they serve that notice and then they mow when it happens again, consecutively. He asked if there was a way they could speed up that process.

Ms. Stultz replied that there was a statute that provides some language to speed up abatement and she and Ms. Gilley had discussed putting that in the ordinance. She added

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that another thing that other communities have done was that if you get notified more than once in a year, as the year goes on the administrative fee gets bigger. However, they did not want to make it to where they mow it and it was cheaper than hiring a lawn company that would be something else to look at.

Council Member Carter questioned the reimbursement ratio.

Ms. Stultz explained that currently because they have aggressively pursued abatement in the last couple of years, more people comply because they know that the city was going to show up, mow it, clean up, and send a bill. She added that the nuisance ordinance does not just deal with grass and weeds, but all sorts of things that were illegal in a yard.

She added that they actually sold a viable house to someone over a mowing deal. When somebody has a house on it generally they get paid by a bank or the owner, but this house was bought by one of the folks who runs a rental housing business and he fixed it up and it looks great. They have lots more ways to collect for nuisance fees that are not quite as hard to get, but when they do these things they all do it for the benefit of the community as well as forcing the person to pay the city back which they would really like to have happen but it cannot always happen.

Ms. Gilley also added that a lot of their citizens did not understand that the statute gives the city the authority to mow if it was indeed a health nuisance. That was why they cannot go on a property that has been mowed 5 times previously this summer because they know it was going to get to 12 inches, you cannot go over there before it gets to 12 inches because it has to be a health nuisance before it can be abated.

Council Member Epps asked if her recommendation was to research on it and bring it back.

Ms. Stultz replied yes this has been an issue and their plan was to work on the ordinance and take it to the Community Appearance and to Planning Board and then bring it back to the City Council and then it would not surprise her if it goes back to them one more time as it was an important thing and a community standard.

Mayor Pro Tem Tuggle suggested to the City Council just for their information, at the last Council Meeting there was a question about one of the ordinances that really never came before them. That was one of those things that they asked to go back and update and make some corrections and refinements on it. He suggested that they update all the nuisance ordinances and once she updated all of those she should bring it back to the Council and they would take a look at them and vote on them.

Ms. Stultz replied that was perfect.

Council Member Burnette asked if she would recommend that they do it all at one time or bring them back one by one.

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Ms. Stultz replied that they let staff decide how much really needs to be changed. If it was one or two things and the City Attorney and the Community Appearance Commission was happy....

Council Member Ellis questioned the City Attorney's comment about health nuisances to which Ms. Gilley explained that the health nuisances (Statute) states that the grass is a certain height and that was because rodents and vermin can get in that grass and danger the health of the city and that was why the State gives them that authority.

Council Member Hagood commented that he knew they were talking about yards and neighbor's yards but what about a large location such as Morgan Road and the old Nantucket Mill.

Ms. Stultz replied it was a disaster and they have done a nuisance violation on that property before. They also still owe the city money for it. She explained that anything of that size that has been developed; they can pursue a nuisance on it just like anything else.

Council Member Hagood pointed out that it was larger than all of them put together.

Ms. Stultz agreed that it certainly was. She explained that they have done it in the past and they need to do it now but there has been all of this hullabaloo going on with the grant and they were going to let them have the money, spend the money, negotiate with the owners, it was going to have to be done either way. She added that she had been trying to avoid the city putting out the money in hopes that they could do all of that clean up with the grant money. If that does not work out they were going to have no choice but to send a notice.

Council Member Hagood stated that he guessed there was an item here of discretion, of picking and choosing to which Ms. Stultz replied no, in her opinion this was a special circumstance because of negotiations to try to purchase the property but if they all would like she would be perfectly happy to send them a nuisance.

Council Member Ellis stated that he thought that might not be a bad idea.

Ms. Stultz stated that one other thing to tell them was they can send the nuisance and in 15 days do whatever needs to be done to that property. She added that she did not think city staff can take that on completely and also if they started a non-residential maintenance code on it, then in a month or two they find themselves in that position, State Statute says that because it was a former textile mill they cannot touch it for five years.

Council Member Hagood suggested anything that could be done there within reason.

Ms. Stultz added that she was sure that before she could spend that kind of money to order abatement she would do that.

Council Member Ellis commented that with grass and things of that sort, how about in other areas in the city where there was a lot of problems such as a "lot lizard" that did not

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take care of their property.

Ms. Stultz replied that was exactly what this was talking about, not just grass but there were other things that find themselves on lawns, they have removed a lot of things.

There was no more discussion.

f. Approval and Adoption of Amendment to Peddler's, Itinerant Merchant's and Charitable Solicitor's Ordinance.

Due to recent concerns by citizens and persons who enforce this ordinance and in an effort to provide protection for the citizens of the City, a revised Peddler's, Itinerant Merchant's and Charitable Solicitor's Ordinance has been drafted for your consideration. This concern involves reasons to revoke a Peddler's License after recent complaints regarding aggressive sales tactics.

Ms. Gilley explained that staff reviewed this ordinance for a way to perhaps revoke a license that had been issued because of the way a peddler was using that license. They realized there were some restrictions on the city's ability to do so. She explained that they were only able to revoke a license based on if they had given a falsity on their application or had committed a crime since the license had been issued so what they did, they amended the ordinance to give the clerk the authority to revoke the license for abusive pursuit of that license. She stated that they recommend that the ordinance be amended.

Mayor Pro Tem Tuggle questioned what some of those complaints were.

Ms. Gilley replied that it was that aggressive behavior, not leaving when the resident said they were not interested and they keep coming back.

Council Member Epps asked if they did a criminal check on these people who come door to door.

Ms. Gilley replied that they would have to have a peddler's license to do that and to get a license for that they do a criminal background check.

Council Member Burnette asked, so this adds accountability, once you receive the license.

Ms. Gilley replied that was correct so if it comes to their attention by a complaint it gives them the ability to investigate that and revoke the license.

A motion was made by Council Member Burnette seconded by Council Member Ellis to accept the amendment to the Peddler's, Itinerant Merchant's and Charitable Solicitor's Ordinance. All Council Members voted in favor of this motion.

REPORTS FROM STAFF:

- a. Monthly Report – Parks, Recreation & Facility Maintenance

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Mr. Johnny Farmer, Director of Parks & Recreation, explained that the Dixie Youth Tournament was very successful and it was due to the staff. It was a team effort from a lot of departments from the city as well as volunteers. The team that won the NC tournament, Dallas, also won the world series. He also wanted to thank the city's tourism department as well as Rockingham County's tourism development authority as they helped get this tournament to Eden. This was their 4<sup>th</sup> tournament and they hoped to continue to get those in the future.

Lastly they still have tournaments scheduled every weekend through November. This past weekend they have a new organization called Got Gain, fast pitch softball. This was the first tournament site for them and this group was out of Eden. Hopefully they will end up doing a few tournaments here.

CONSENT AGENDA:

- (a) Approval and adoption of minutes: July 16, 2013.
- (b) Request for 2 temporary signs from Cindy Adams, Coordinator of Tourism and Special Events, for the Annual Riverfest on September 20 and 21, 2013.

The Planning Department has received a request for temporary signs to be located in the public right-of-way at the intersection of NC 14 and Arbor Lane (at BB&T) and on W. Kings Highway in front of the Kingsway Plaza. The request was submitted by Cindy Adams, Coordinator of Tourism and Special Events, for the Annual RiverFest to be held on September 20 and 21, 2013.

- (c) Request for Consideration of Approving a Resolution for a State Loan with Principal Forgiveness for the Lower Matrimony Creek Sewer Rehabilitation Project.

We are seeking approval to submit an application to the State Construction Grants and Loans in September. The application is to request funding for continuing the sewer rehabilitation work on the Lower Matrimony Creek Sewer Rehabilitation as part of our overall effort to improve our sewer collection system. This outfall is in need of rehabilitation. These sewer lines are at least forty years old and have become to be a source of numerous blockages and some overflows.

The estimate cost of this project will be \$2,337,000 and we will ask for a loan for this amount with principal forgiveness of \$1,000,000. If we were awarded a loan with principal forgiveness, the Council would have to formally accept it at that time.

One obligation the City would have to accept a loan with principal forgiveness is to continue to keep water/sewer rates so that they are equal to one and one half times the median household income for City of Eden. This is defined as High Unit Cost (HUC) and our water rates must be above this calculation. Based on data available today, our water rates are above this threshold and the future scheduled rate increase should keep the City above the threshold to accept the requested loan assistance from the Construction Grants and Loans.

Please contact me if you any questions regarding the Matrimony Creek Outfall Sewer Rehabilitation Project or this Resolution to Request a low interest loan with principle forgiveness.

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**AUTHORIZING RESOLUTION BY CITY COUNCIL OF THE CITY OF EDEN**

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of rehabilitation of the wastewater collection system, and

WHEREAS, The City of Eden has need for and intends to renovate a portion of their wastewater collection system described as the Lower Matrimony Creek Sewer Rehabilitation project, and

WHEREAS, The City of Eden intends to request state loan with grant assistance for the project,

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

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

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

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

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

That S. Brad Corcoran, City Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of the City of Eden with the State of North Carolina for a loan with grant assistance to aid in the construction of the project described above.

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

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

Adopted this the 20<sup>st</sup> of August, 2013 at Council Chambers in City Hall of Eden, North Carolina.

Wayne R. Tuggle, Sr., Mayor Pro Tem

(d) Approval and Adoption of Budget Amendment #1.

When the City purchases vehicles with installment purchases, it is required to show the loan proceeds as revenue and the payment to the vendor as an expenditure in the financial statements. The attached

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City of Eden, N. C.

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amendment increases the General Fund revenue line item "loan proceeds" and also increases the Recreation Department Capital Outlay – Vehicles line item for the Recreation Child Care bus that was purchased with loan proceeds.

Subject: Budget Amendment # 1

	Account #	From	To	Amount
<b>General Fund Revenues</b>				
Loan Proceeds	10-3850-86000	\$ -	\$ 45,000.00	<u>\$ 45,000.00</u>
<b>General Fund Expenditures</b>				
Recreation C/O Vehicles	10-6120-55000	\$ -	\$ 45,000.00	<u>\$ 45,000.00</u>

To allocate loan proceeds for Recreation Department Child Care bus.

Adopted and effective this 20th day of August, 2013.

Attest:

\_\_\_\_\_  
Sheralene Thompson, City Clerk

\_\_\_\_\_  
Wayne Tuggle, Mayor Pro-Tem

(e) Consideration and Approval of Automated Garbage Truck Purchase.

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In the 2013/2014 budget it was approved to purchase an automated garbage truck for the Solid Waste Division. It is our recommendation that the City of Eden “piggyback” the current contract the City of Raleigh has just entered into with Advantage Truck Center. This waives the formal bid process and follows G.S. 143-129 (g) “piggybacking” guidelines.

Bruce Stadler with Advantage Truck Center has submitted a letter offering to the City of Eden the same price offered to the City of Raleigh. I have also received an email from Ms. Mary Waller with the City of Raleigh purchasing department offering their approval to the City of Eden to “piggyback” their current contract entered into on 3/20/2013 with Advantage Truck Center.

This recommendation is to purchase a 2013 AutoCar chassis with a New Way Automated Side Loading Refuse body at a cost of \$256,270.00.

(f) Approval and Adoption of a Resolution Declaring Surplus Equipment.

**RESOLUTION AUTHORIZING THE DISPOSAL  
OF PERSONAL PROPERTY BY PUBLIC AUCTION**

**WHEREAS**, the City of Eden owns certain equipment listed below and hereinafter referred to as “the property”; and

Item Desc	Serial #s	Model #	CITY TAG
Gamber Johnson Center Consoles	N/A		
Criminalistics Hot Dog Temp Monitor	27929?		
Whelen Light Bar - Blue			
WHELEN STROBE POWERSUPPLY LIGHT SWITCH BOX	NONE	VPPS6C PN01-0262264-00	
WHELEN LIGHT CONTROLLER	36715		
Plastic Center Consoles			
10 Car Cage Dividers			2683
Misc Console Parts/Posts			
Misc Siren/MPH Radar parts	PNK115046		
Misc Siren/MPH Radar parts	PNK11513		
Misc Siren/MPH Radar parts	K55269000117		
SIREN AMP	P9426		2708
SIREN AMP	P3111		2780
SIREN AMP	POE134004		2174
SIREN		CODE 3 Z100LP	NO ID
SIREN CONTROLLER WHELEN	PNI57752	295HF100	
FEDERAL INTERCEPTOR	26281		1952
SIREN WHELEN	PNK114999	SA314	NO ID
UNIDEN SCANNER	75005391	BC350A	NO ID



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UNIDEN SCANNER	317Z74004310	BC350C	NO ID
UNIDEN SCANNER	317Z44025830	BC350C	NO ID
UNIDEN SCANNER	45028026	BC560XLT	NO ID
UNIDEN SCANNER	14737	BEARCAT 15	537
UNIDEN SCANNER	317Z44021943	BC350C	NO ID
UNIDEN SCANNER	317Z64002125	BC350C	NO ID
UNIDEN SCANNER	16044166	BC350A	NO ID
UNIDEN SCANNER	34028848	BC350A	NO ID
UNIDEN SCANNER	317Z44034188	BC350C	NO ID
UNIDEN SCANNER	317Z44034187	BC350C	NO ID
UNIDEN SCANNER	16044158	BC350A	NO ID
UNIDEN SCANNER	317Z54013954	BC350C	NO ID
UNIDEN SCANNER	317z44030714	BC350C	NO ID
UNIDEN SCANNER	45080564	BC350A	NO ID
UNIDEN SCANNER	317Z64003204	BC350C	NO ID
UNIDEN SCANNER	16044167	BC350A	NO ID
UNIDEN SCANNER	45057398	BC560XLT	NO ID
UNIDEN SCANNER	317Z64002256	BC350C	NO ID
UNIDEN SCANNER	317Z64002724	BC350C	NOID
UNIDEN SCANNER	317Z44034943	BC350C	NO ID
UNIDEN SCANNER	75007088	BC350A	NO ID
UNIDEN SCANNER	317Z44035566	BC350C	NO ID
UNIDEN SCANNER	16044159	BC350A	
UNIDEN SCANNER	317Z44037957	BC350C	
UNIDEN SCANNER	16044160	BC350A	
UNIDEN SCANNER	317Z44033672	BC350C	
UNIDEN SCANNER	317Z44035569	BC350C	
UNIDEN SCANNER	16044396	BC350A	
UNIDEN SCANNER	75002644	BC144XL	3518
UNIDEN SCANNER	85036390	BC350A	NO ID
KENWOOD RADIOS/CHARGERS	40400003	TK330	NO ID
KENWOOD RADIOS/CHARGERS	40400005	TK330	NO ID
KENWOOD RADIOS/CHARGERS	21000069	TK330	NO ID
KENWOOD RADIOS/CHARGERS		TK330? LABEL MISSING	2234
KENWOOD RADIOS/CHARGERS	40400001	TK330	
GE BEACON II	8114296D	B2U05	
GE BEACON II	8114298D	B2U05	
GE BEACON II	8114297D	B2U05	
NEC V2	1893	R4V2-2B	
KENWOOD CHARGERS			1769
KENWOOD CHARGER BANK	30900010		1771
KENWOOD TK330	30100049	TK330	1797
AEROTRON	CAN'T FIND		1763
AEROTRON			1770
AEROTRON			1772
AEROTRON			NOID
KENWOOD TK330	21008067		
KENWOOD TK330	90204		
UNKNOWN RADIO			1766

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MOTOROLA VRM850	508SHE0131	VRM850	
MOTOROLA VRM850	508SHE0132	VRM850	
MOTOROLA VRM850	508SHN1210	VRM850	
MOTOROLA VRM850	508SHN1215	VRM850	
MOTOROLA MAXTRAC 50	428AQQ3833	MAXTRAC 50	
MOBILE VISION IN CAR CAMERA	70156	MV7A	NO ID
MOBILE VISION IN CAR CAMERA	81433	MV7A	NO ID
MOBILE VISION IN CAR CAMERA	70152	MV7A	3598
MOBILE VISION IN CAR CAMERA	81437	MV7A	3593
MOBILE VISION IN CAR CAMERA	73135	MV7A	3690
MOBILE VISION IN CAR CAMERA	78524	MV7A	
MOBILE VISION IN CAR CAMERA	81435	MV7A	
MOBILE VISION IN CAR CAMERA	73137	MV7A	3687
MOBILE VISION IN CAR CAMERA	70171	MV7A	
MOBILE VISION IN CAR CAMERA	70155	MV7A	
MOBILE VISION IN CAR CAMERA	73136	MV7A	
MOBILE VISION IN CAR CAMERA	86222	MV7A	
MOBILE VISION IN CAR CAMERA	74177	MV7A	
MOBILE VISION IN CAR CAMERA	70172	MV7A	3600
MOBILE VISION IN CAR CAMERA	70151	MV7A	3595
MOBILE VISION IN CAR CAMERA	78524	MV7A	
MOBILE VISION IN CAR CAMERA	81436	MV7A	
MOBILE VISION IN CAR CAMERA	70277	MV7A	
MOBILE VISION IN CAR CAMERA	78525	MV7A	
MOBILE VISION IN CAR CAMERA	701??	MV7A	3597
MOBILE VISION IN CAR CAMERA	78523	MV7A	
MOBILE VISION IN CAR CAMERA	78522	MV7A	
MOBILE VISION IN CAR CAMERA	74179	MV7A	
MOBILE VISION IN CAR CAMERA	81434	MV7A	
MOBILE VISION IN CAR CAMERA	74178	MV7A	3710
MOBILE VISION IN CAR CAMERA	73138	MV7A	
RADIO MOUNTS			
RADAR UNIT	2057	K15 DOPLAR	NO ID
RADAR UNIT	K55269000124	K55X DOPLAR	2797
RADAR UNIT	13814	MPH 580 EMITTER	890
RADAR UNIT	13813	MPH 580 CONTROLLER	NO ID
RADAR UNIT	5794	MPH CONTROLLER	NO ID
RADAR UNIT	5794	MPH ANTENNA	629
RADAR UNIT	B233	MPH ANTENNA	NO ID
RADAR UNIT	K55 097004167	MPH K55X CONTROLLER	3692
RADAR UNIT	K55269000235	MPH K55 ANTENNA	NO ID
RADAR UNIT	K55269000116	MPH K55X CONTROLLER	
RADAR UNIT	K55097002293	MPH K55 ANTENNA	
RADAR UNIT	K55269000119	MPH K55X CONTROLLER	
RADAR UNIT	K55097002296	MPH K55 ANTENNA	2800
RADAR UNIT	K55269000130	MPH K55X CONTROLLER	2796
RADAR UNIT	K55097002314	MPH K55 ANTENNA	
RADAR UNIT	K55269000126	MPH K55X CONTROLLER	2798

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RADAR UNIT	K55097002303	MPH K55 ANTENNA	
RADAR UNIT	93539	MPH K55X CONTROLLER	
RADAR UNIT	K55269000128	MPH K55X CONTROLLER	2794
RADAR UNIT	93538	MPH K55X CONTROLLER	
RADAR UNIT	93516	MPH K55 ANTENNA	
RADAR UNIT	K55097002301	MPH K55 ANTENNA	
RADAR UNIT	K55269000237	MPH K55X CONTROLLER	
RADAR UNIT	K55097004169	MPH K55 ANTENNA	
RADAR UNIT	K55269000115	MPH K55X CONTROLLER	2792
RADAR UNIT	K55097002292	MPH K55 ANTENNA	
RADAR UNIT	K55276000085	MPH K55X CONTROLLER	
RADAR UNIT	K55269000123	MPH K55X CONTROLLER	2795
RADAR UNIT	K55097003103	MPH K55 ANTENNA	
RADAR UNIT	K55097002311	MPH K55 ANTENNA	2180
RADAR UNIT	K55269000093	MPH K55X CONTROLLER	2155
RADAR UNIT	UNREADABLE	MPH K55 ANTENNA	2413
RADAR UNIT	K55269000127	MPH K55X CONTROLLER	
RADAR UNIT	K55097002300	MPH K55 ANTENNA	
RADAR UNIT	K55269000129	MPH K55X CONTROLLER	2793
RADAR UNIT	K55097002313	MPH K55 ANTENNA	
RADAR UNIT	K55097002155	MPH K55 ANTENNA	
RADAR UNIT	K55276000878	MPH K55X CONTROLLER	
RADAR UNIT	4281	MPH K-15 DOPLAR ANTENNA	634
RADAR UNIT	K55097000698	MPH K55 ANTENNA	
RADAR UNIT	93511	MPH K55 ANTENNA	
RADAR UNIT	K55276000500	MPH K55X CONTROLLER	
RADAR UNIT	K55097002291	MPH K55 ANTENNA	
RADAR UNIT	K55269000121	MPH K55X CONTROLLER	
RADAR UNIT	K55097002298	MPH K55 ANTENNA	2179
RADAR UNIT	K55276000576	MPH K55X CONTROLLER	
RADAR UNIT		MPH K15 ANTENNA	633
RADAR UNIT	3412	K15 DOPLAR ANTENNA	635
K9 HOT DOG BOX STUFF		FAN HOUSING	NO ID
RESCUE REMOTE CONTROL		RESCUE REMOTE CONTROL	NO ID
FAN HOUSING		FAN HOUSING	
POWER TOUCH REMOTE CONTROL	41940	9142M1	
I WILL TRAILBLAZER CARLSON			
WIRELESS TECH	2482	LEASED LINE EMULATOR	
I WILL TRAILBLAZER CARLSON			
WIRELESS TECH	2483	LEASED LINE EMULATOR	
I WILL TRAILBLAZER CARLSON			
WIRELESS TECH	NONE	LEASE LINE EMULATOR	
I WILL TRAILBLAZER CARLSON		BATTERY?	

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WIRELESS TECH			
I WILL TRAILBLAZER CARLSON			
WIRELESS TECH	2486	LEASED LINE EMULATOR	
I WILL TRAILBLAZER CARLSON			
WIRELESS TECH	2487	LEASED LINE EMULATOR	
I WILL TRAILBLAZER CARLSON			
WIRELESS TECH		EMPTY BOX	
MISC MOUNTING HARDWARE			
PARABOLIC ANTENNA	21001H0271	ANTENNA	
PARABOLIC ANTENNA	21601H0924	ANTENNA	
MOUNTING POSTS			
GAMBER JOHNSON MOUNT			
MOTOROLA ML90	19342	DDN7502A	
	20344D082A10		
EF JOHNSON	082		
MOTOROLA RADIUS M1225	869FBS0665	M1225	
LARGE GREY OUTDOOR			
EQUIPMENT RACK			
SMALL GREY EQUIPMENT RACK			
GE SOLID STATE MASTER 2	6351888		
AEROTRON RADIO HEAD		1285-103	
GE MASTER RADIO			744
GE MASTER RADIO			746

**WHEREAS**, the City of Eden desires to dispose of the property by public auction as authorized by North Carolina General Statute §160A-270; and

**WHEREAS**, pursuant to North Carolina General Statute §160A-270 (c), the City Council must authorize the use of the public electronic auction service and the means of publication; and

**WHEREAS**, the property will be sold at a public electronic auction to the highest bidder excepting any reserve placed on the property. The property will be listed at [www.govdeals.com](http://www.govdeals.com) starting on August 30th, 2013 and will be posted continuously until it is sold; and

**WHEREAS**, The City desires to publish this notice solely by electronic means via the City of Eden website; and

**WHEREAS**, Kevin Taylor, IT Director, is an appropriate city official to dispose of the property by public auction.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council for the City of Eden that the property listed above be disposed of by public auction, that the publication of this sale be solely by electronic means, and that Kevin Taylor be authorized to dispose of the property by public auction.

APPROVED, ADOPTED AND EFFECTIVE this 20<sup>th</sup> day of August, 2013.

CITY OF EDEN

By Wayne Tuggle, Mayor Pro-Tem

**ATTEST:**

Minutes of the regular August 20, 2013 meeting of the City Council, City of Eden:

**Sheralene Thompson, City Clerk**

(g) Consideration and Approval and Adoption of an Ordinance – No Parking on the north end of Carter Street.

On June 17, 2013, a traffic study request was received from Council Member Donna Turner in reference to placing No Parking signs on Carter Street.

Carter Street is a residential street that intersects Harris Street (see attached). The north end of Carter Street is approximately 380 feet long. When vehicles park along the roadway of Carter Street, in particular along the most northward 200 feet, it makes it difficult for motorists to travel from their residence to Harris Street due to congestion and vision obstruction. Each household along this block has a noticeable driveway.

The Police Department's recommendation would be to create a no parking zone along the east side of Carter Street northward from the intersection of Harris Street with Carter Street to the dead end of Carter Street and to create a no parking zone on the west side of Carter Street northward from 200 feet north of the intersection of Harris Street with Carter Street to the dead end of Carter Street.

(h) Consideration and Approval of 2012 Ford Transit Van – Financing for 5 years.

In the 2013-2014 Budget, City Council approved to purchase a new maintenance van for the Water Resources department and it has been set up in the budget to be financed. On August 5, 2013, I requested bids from our local banks for the financing and received the following quotes:

BB&T	2.09%
Carter Bank & Trust	2.00%

The lowest quote is from Carter Bank & Trust at 2.00%. The annual payments will be approximately \$6,010 which is within the budgeted amount. I respectfully ask that Council approve Carter Bank & Trust as the successful bid.

A motion was made by Council Member Turner seconded by Council Member Burnette to approve the Consent Agenda. All Council Members voted in favor of this motion.

ANNOUNCEMENTS:

- a. Citizens Academy  
Deadline – August 23
- b. Citizens Academy Orientation  
When: September 5  
6:00 p.m. to 8:00 p.m.  
*Held every Thursday until November graduation*
- c. Riverfest  
When: September 20-21

August 20, 2013

City of Eden, N. C.

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Where: Old Leaksville Downtown

ADJOURNMENT:

A motion was made by Council Member Hagood seconded by Council Member Ellis to adjourn. All Council Members voted in favor of this motion.

Respectfully submitted

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Sheralene S. Thompson, CMC  
City Clerk

ATTEST:

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Wayne Tuggle, Sr., Mayor Pro Tem