

**REGULAR MEETING
ASHEBORO CITY COUNCIL
COUNCIL CHAMBER, MUNICIPAL BUILDING
THURSDAY, OCTOBER 9, 2008
7:00 p.m.**

This being the time and place for a regular meeting of the City Council, a meeting was held with the following officials and members present:

David H. Jarrell) – Mayor Presiding

Talmadge S. Baker)

Edward J Burks)

Linda H. Carter)

J. Keith Crisco) – Council Members Present

Walker B. Moffitt)

Archie B. Priest, Sr.)

David H. Smith)

John N. Ogburn,III, City Manager
Edsel L. Brown, Code Enforcement Officer
Dumont Bunker, P.E., City Engineer
John L. Evans, Planner
Tamela D. Garner, Permits Technician/Deputy City Clerk
R. Wendell Holland, Jr., Zoning Administrator
T. Myers Johnson, Human Resources Director
Robert H. Kivett, Director of Operations Public Works
R. Reynolds Neely, Jr., Planning Director
Ralph W. Norton, Police Captain
Deborah P. Reaves, Finance Director
Jeffrey C. Sugg, City Attorney
Kermit D. Williamson, Sanitation Superintendent

1. Call to Order.

A quorum thus being present, Mayor Jarrell called the meeting to order for the transaction of business, and business was transacted as follows.

2. Invocation and Pledge of Allegiance.

Mayor Jarrell asked everyone to stand and repeat the Pledge of Allegiance, after which Mr. Burks gave the invocation.

3. Appearance and recognition of guests and citizens.

Mayor Jarrell welcomed everyone in attendance.

4. Consent agenda

Upon motion by Mr. Baker and seconded by Mr. Burks, Council voted unanimously to approve the following consent agenda items.

(a) **The minutes of the city council's regular meeting that was held on September 4, 2008.**

(b) **Closing portions of South Park Street, West Taft Avenue, South Church Street, and Sunset Avenue for the horse parade on November 2, 2008, at 3:00 PM.**

[A map of the approved parade route and parade permit is on file in the City Clerk's office.]

(c) **A resolution approving the revision of the job description and job title of the position of Program Coordinator (Aquatics) to reflect the deletion of this position and the creation of the new position of Program Coordinator (Special Facilities).**

RESOLUTION APPROVING THE REPLACEMENT OF THE PROGRAM COORDINATOR (AQUATICS) POSITION WITH THE PROGRAM COORDINATOR (SPECIAL FACILITIES) POSITION

WHEREAS, the City of Asheboro Personnel Policies and Procedures Manual, promulgated by the City Manager and approved by resolution of the City Council of the City of Asheboro on March 4, 2004, and as amended, provides in Section 1 of Article II of the said manual that a position classification plan shall be prepared by the City Manager and adopted by the City Council; and

WHEREAS, such a position classification plan has been duly adopted by the City Council; and

WHEREAS, under the adopted position classification plan and within the Parks and Recreation Department, the classification of Program Coordinator (Aquatics) has been established with a pay grade of 14 under the city's pay plan; and

WHEREAS, Section 10 of Article II of the City of Asheboro Personnel Policies and Procedures Manual provides, in pertinent part, as follows:

When a new position is established or the duties of an existing position change, the department head shall submit in writing a comprehensive job description describing in detail the duties of such a position. The city manager shall investigate the actual or suggested duties and recommend the appropriate class allocation or the establishment of a new class to the City Council for approval; and

WHEREAS, the Parks and Recreation Director has concluded that the job title and duties of the Program Coordinator (Aquatics) should be changed in order to enhance the operations of the Parks and Recreation Department; and

WHEREAS, the Parks and Recreation Director has properly submitted a comprehensive job description for the new position of Program Coordinator (Special Facilities) that is proposed to replace the position of Program Coordinator (Aquatics); and

WHEREAS, this new job description is attached to this resolution as Exhibit 1 and is hereby incorporated into this resolution by reference as if copied fully herein; and

WHEREAS, the Director of Human Resources and the City Manager have approved the job description submitted by the Parks and Recreation Director; and

WHEREAS, after reviewing the recommendation of the Director of Human Resources, the City Manager has determined that, in light of the duties prescribed by the attached job description, the position of Program Coordinator (Special Facilities) should be established at a pay grade of 14.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the City Manager's recommendation to establish the position of Program Coordinator (Special Facilities) at pay grade 14, specifically including without limitation the job description attached hereto as Exhibit 1, is hereby approved without modification and with an effective date of October 9, 2008; and

BE IT FURTHER RESOLVED that the position of Program Coordinator (Aquatics), and its accompanying job description, is to be deleted from the City of Asheboro position classification plan effective October 9, 2008.

Adopted by the Asheboro City Council in regular session on the 9th day of October, 2008.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

Exhibit 1

**PROGRAM COORDINATOR
(SPECIAL FACILITIES)**
Parks and Recreation Department

F.L.S.A.
EXEMPT

General Statement of Duties

Performs responsible work supervising and inspecting high use/high risk recreation facilities.

Distinguishing Features of the Class

An employee in this class is responsible for the supervision and inspection of specific recreation facilities which include: City Lakes, Swimming Pools, Downtown Farmers' Market, Tennis Center, Playgrounds, Skate Park, Sunset Theatre, and other facilities that may be assigned. Work is conducted under the general supervision of the Parks and Recreation Director, and is reviewed through observation, conferences, and effectiveness of programs offered.

Illustrative Examples of Work

- Inspection of Parks & Recreation Facilities;
- Supervises and schedules part-time and/or seasonal employees at affected facilities;
- Staff Orientation and Training;
- Oversees facility concessions operation;
- Performs daily/weekly inspections of specific facilities;
- Documents inspections and reports finding to Parks & Recreation Director;
- Set up and tear down for specific events at various facilities;
- Enforces Parks & Recreation Department rules and regulations;
- Coordinates Concessions at fields;
- Coordinates and implements certain special events;
- Conducts Skills Assessments for each sport;
- Organizes and supervises athletic league tournaments;
- Monitors programs while in progress;
- Performs related work as required;
- Additional duties as assigned by the Parks & Recreation Director.

Knowledge, Skills and Abilities

Comprehensive knowledge of the principles and objectives of a Public Parks & Recreation program;
Knowledge of concession operations and maintenance of inventory;
Ability to organize and direct a wide range of special events;
Ability to evaluate public response to programs offered;
Ability to work independently with minimum supervision;
Ability to manage time accordingly;
Ability to deal tactfully and courteously with the public.

Minimum Experience and Training

Graduation from a four-year college or university with a degree in recreation and some experience organizing recreation activities; or any equivalent combination of experience and training.

Special Requirements

Possession a valid North Carolina driver's license;
CPR & First Aid Certification;
Night and weekend work required;
Lifeguard Certification;
Pool Operator's Certification.

Physical Requirements

Must be able to lift at least 50 pounds. Will work outdoors in varying weather conditions.

- (d) **Budget Ordinance amendments:**
 - (i) **Ordinance to amend the General Fund**

55 ORD 10-08

**Ordinance to Amend the General Fund
FY 2008-2009**

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

WHEREAS, the budget as adopted requires amendment to reflect adjustments in revenues and expenditures;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

Section 1: That the following revenue item be increased

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
10-399-0000	Fund Balance Allocation	\$240,000

Section 2: That the following expense items be increased:

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
10-440-0401	Professional Services	\$15,000
10-440-5000	Tax Collection Fee- Randolph County	\$10,000
10-440-5102	TMA Fees- Randolph County	\$15,000
10-440-5500	Tax Refunds- Randolph County	\$2,000
10-440-7400	Capital Outlay	\$7,000
10-480-3407	E-Mail Archive System	\$7,000
10-490-0200	Salaries	\$20,000
10-490-0400	Professional Services	\$39,000
10-610-7200	Transfer -Economic Dev Fund- Starpet Final Pmt	<u>\$125,000</u>
		\$240,000

Adopted this the 9th day of October, 2008

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

(ii) Ordinance to amend the Water and Sewer Fund to reflect adjustments in revenues and expenditures.

56 ORD 10-08

Ordinance to Amend the Water & Sewer Fund FY 2008-2009

WHEREAS, the City of Asheboro desires to be in compliance with all generally accepted accounting principles, and;

WHEREAS, the budget as adopted requires amendment to reflect adjustments in revenues and expenditures;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA:

Section 1: That the following revenue item be increased

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
30-399-0000	Fund Balance Allocation	\$50,000

Section 2: That the following expense items be increased:

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
30-830-7400	Capital Outlay- Generator	\$50,000

Adopted this the 9th day of October, 2008.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

(e) A resolution authorizing the City Manager to enter into a grant agreement between the NC Department of Transportation and the City of Asheboro for the City to receive a Federal VISION 100 Grant in the Amount of \$111,240.00 for Sewer Improvements, T-hanger Site Preparation and Taxilane for the Asheboro Regional Airport.

RESOLUTION APPROVING A BLOCK GRANT AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

WHEREAS, the North Carolina Department of Transportation (hereinafter referred to as the "NCDOT") has been authorized by Chapter 63 of the North Carolina General Statutes to administer, within statutorily prescribed parameters, a program of state aid to airports; and

WHEREAS, NCDOT has received approval from the Federal Aviation Administration to administer certain airport improvement program funds in North Carolina under the provisions of the Vision 100 – Century of Flight Authorization Act of 2003, Public Law 108-176; and

WHEREAS, NCDOT has approved a grant of funds to the City of Asheboro as the owner of the Asheboro Regional Airport for a project that has been identified in the grant documents from the NCDOT as "SEWER IMPROVEMENTS; T-HANGAR SITE PREP & TAXILANE;" and

WHEREAS, the grant amount approved by the NCDOT, on the basis of a total estimated cost of one hundred twenty-three thousand six hundred and no/100 dollars (\$123,600.00), is one hundred eleven thousand two hundred forty and no/100 dollars (\$111,240.00); and

WHEREAS, in compliance with grant requirements, the city has appropriated an amount equal to or greater than ten percent (10%) of the total estimated project cost; and

WHEREAS, the NCDOT requires that certain form documents, which refer to the NCDOT as the "Department" and the city as the "Sponsor," be completed without modification; and

WHEREAS, these forms are acceptable to the city, and the city council has decided that entering into the grant agreement proposed by the NCDOT will advance the long-term interests of the city and the Asheboro Regional Airport.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, North Carolina that the city's participation in a VISION 100 grant agreement that conforms with the above-cited recitals and the city's standard contracting principles is hereby approved; and

BE IT FURTHER RESOLVED that the mayor, city manager, and city clerk are hereby authorized to execute on behalf of the city the required grant agreement with NCDOT and any other instruments consistent with this resolution and deemed lawful and necessary to participate in the above-described grant program, including without limitation the NCDOT mandated resolution that is attached to this resolution as Exhibit 1 and is hereby approved and incorporated into this resolution by reference as if copied fully herein.

Adopted by the Asheboro City Council in regular session on the 9th day of October 2008.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

Exhibit 1

RESOLUTION

A motion was made by _____ and seconded by _____
(Name and Title)
_____ for the adoption of the following resolution, and
(Name and Title)

upon being put to a vote was duly accepted:

WHEREAS, a Grant in the amount of **\$111,240** has been approved by the Department based on total estimated cost of **\$123,600**; and

WHEREAS, an amount equal to or greater than **ten percent (10%)** of the total estimated project cost has been appropriated by the Sponsor for this Project.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY MANAGER
(Title)

of the Sponsor be and he hereby is authorized and empowered to enter into a Grant Agreement with the Department, thereby binding the Sponsor to the fulfillment of its obligation incurred under this Grant Agreement or any mutually agreed upon modification thereof.

- (f) **The acceptance of the low bid received from Bar Construction Company, Inc of Greensboro, NC, for installation of a generator at the Wastewater Treatment Plant for the contract amount of \$393,739.00.**

[A copy of the bid summary prepared by the City Engineer is on file in the City Clerk's office.]

- (g) **The Final Change Order #1 on the Malt-O-Meal Railroad Spur Project (Tar Heel Railroad Construction Company, Inc.) decreasing the contract amount by \$88,500.00 to \$1,039,388.00 for adjustment of quantities as built, and increasing the construction time by 34 days to 154 days.**

[A copy of the change order request submitted by H. Mack Summey, Jr., P.E., who is the project engineer, is on file in the City Clerk's office.]

- (h) **A resolution to change the name of the portion of Meadowbrook Road that connects to Honeysuckle Road from Meadowbrook Road to Meadowbrook Road Extension, as requested by a petition from residents along the affected portion of Meadowbrook Road.**

49 RES 10-08

RESOLUTION TO CHANGE THE NAME OF THE PORTION OF MEADOWBROOK ROAD THAT CONNECTS TO HONEYSUCKLE ROAD FROM MEADOWBROOK ROAD TO MEADOWBROOK ROAD EXTENSION

WHEREAS, the City of Asheboro received a petition on September 30, 2008 from residents of a portion of Meadowbrook Road that connects to Honeysuckle Road requesting that the City of Asheboro change the name of said portion of Meadowbrook Road to Meadowbrook Road Extension; and

WHEREAS, the petition was signed by the residents of said portion of Meadowbrook Road as listed below:

<u>NAME</u>	<u>ADDRESS</u>
Aaron & Annette Pearson	1646 Meadowbrook Road
Allene & Bruce Walker	1648 Meadowbrook Road
Lynne Scofield	1644 Meadowbrook Road
Bobby Cranford	1620 Meadowbrook Road
Stephen Meier	1650 Meadowbrook Road
Dean Norris	1641 Meadowbrook Road

NOW, THEREFORE, BE IT RESOLVED by the Asheboro City Council that the name of the portion of Meadowbrook Road that connects to Honeysuckle Road be changed from Meadowbrook Road to Meadowbrook Road Extension.

Adopted by the Asheboro City Council this 9th day of October, 2008.

By s/ David H. Jarrell
Mayor

ATTEST:

 s/ Tamela D. Garner
Deputy City Clerk

- (i) **The 2008-2009 Canada Goose and duck hunting dates at Lake Reese.**

The dates for the 2008-2009 dark geese (Canada and White-Fronted Geese) and duck hunting season at Lake Reese are as follows:

November 20, 29
December 13,27
January 8,15,24

Hunting hours are ½ hour before sunrise to sunset. The lake will be closed to other activities while hunting takes place. Hunters are required to call Lake Reese at least twenty-four (24) hours in advance to reserve a space. If no hunting reservations are made, the lake will operate on its regular winter schedule.

- (j) **A resolution confirming the Mayor's appointment of council members David Smith and Linda Carter to the council's Identity Theft Prevention Program Committee in accordance with federal law and administrative regulations.**

50 RES 10-08

RESOLUTION CREATING THE ASHEBORO CITY COUNCIL'S IDENTITY THEFT PREVENTION PROGRAM COMMITTEE

WHEREAS, identity theft poses a serious problem throughout the United States; and

WHEREAS, the Federal Trade Commission ("FTC") and several other federal agencies, as part of the Fair and Accurate Credit Transactions Act of 2003 ("FACT Act"), have issued rules requiring creditors to develop, adopt, and implement written identity theft prevention programs that are to be in place by November 1, 2008; and

WHEREAS, these rules apply to the city's utility operations and any other municipal operations that provide a service for which payment is deferred until a future date; and

WHEREAS, the city's initial written identity theft prevention program, and subsequent annual report review, must be approved by the city's governing board or an appropriate committee thereof; and

WHEREAS, in addition to complying with the applicable laws and administrative regulations, the city council wishes to promote the well being of its citizens and customers by implementing in an efficient and effective manner a written identity theft prevention program that is designed to detect, prevent, and mitigate identity theft; and

WHEREAS, the city council has determined that effective and timely review of the city's written identity theft prevention program can and should be facilitated by utilizing a committee of two (2) council members rather than attempting to call special meetings of the council to review the identity theft prevention program as it is developed and implemented; and

WHEREAS, on the basis of the prospective appointees extensive experience with handling confidential financial information, Mayor Jarrell has recommended that council members Linda H. Carter and David H. Smith be designated as the members of the council's Identity Theft Prevention Program Committee.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, North Carolina that a 2-member committee of the council to be known as the Identity Theft Prevention Program Committee is hereby established and is hereby charged with the authority and responsibility to (i) grant initial approval of the city's written identity theft prevention program prior to its implementation by city staff members and (ii) conduct an annual report review; and

BE IT FURTHER RESOLVED that council members Linda H. Carter and David H. Smith are hereby appointed to serve on the Identity Theft Prevention Program Committee until the next organizational meeting of the city council is conducted in accordance with the Charter of the City of Asheboro and the Code of Asheboro.

Adopted by the Asheboro City Council in regular session on the 9th day of October 2008.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

5. Update on the City of Asheboro curbside recycling program.

Mr. Kim Markham of Asheboro Recycling gave an update on the curbside recycling program, noting that 264 tons of materials have been recycled from November 2007 through September 2008. Mr. Markham asked Ms. Melinda Shoemaker, their office manager, to give an update on the county wide Recycling Day. Ms. Shoemaker stated that in 4 hours, 2 and 1/2 tractor trailers were filled with electronics.

Additionally, Mr. Kermit Williamson, the city's Sanitation Superintendent, gave an update on the city's curbside recycling program and the distribution of the cans for recycling. A map of the can distribution is on file in the City Clerk's office. Additionally, a copy of the power point presentation utilized by Mr. Williamson is on file in the City Clerk's office.

6. Proposal from Stephen K. Straus of Developmental Associates to assist the City of Asheboro in designing a selection process for Chief of Police.

Mr. Ogburn introduced Mr. Straus, who gave a presentation on a proposed design of a selection process for the City of Asheboro. A copy of the "Proposed Design Process and Administration of an Assessment Center" submitted by Mr. Straus is on file in the City Clerk's office.

Upon motion by Mr. Crisco and seconded by Mr. Priest, Council voted unanimously to accept the proposal submitted by Mr. Straus.

[A copy of the said proposal is on file in the City Clerk's office.]

7. Consideration of a proposal from Springstead Associates in association with the North Carolina League of Municipalities to provide a long term financial planning model for the City of Asheboro.

Mayor Jarrell stated that item #7 is deferred until the next meeting. This deferral was requested and granted because an illness prevented the representative from Springstead Associates from attending the Council meeting.

OLD BUSINESS:

8. RZ-08-31: Request to rezone from CU-R10 to B-2. The property of Pine Lake Partners, LLC is located near the intersection of Zoo Parkway (NC 159) and Old Cox Road (SR 2834) along the east side of Zoo Parkway and the north side of Old Cox Road. The property totals approximately 17.07 acres of land. Randolph County Parcel Identification Number 7669572328 more specifically identifies the property.

Mayor Jarrell opened the public hearing on the following request.

Mr. Neely presented the rezoning staff analysis of this request, which noted that the analysis of this request is complex. The property does have a significant history of approval for non-residential use. Additionally, the proximity of the property to a mix of land uses, including higher density residential uses and institutional uses increases the validity of the request.

As a major thoroughfare and tourism link between Asheboro and the North Carolina Zoological Park, there is a strong desire to ensure that land uses along Zoo Parkway are developed to be compatible with surrounding land uses. While a commercial designation within a larger mixed use development, such as a Planned Unit Development, may be appropriate, consideration of a straight rezoning request does not allow the review of a site specific development plan to make this determination. The Planning Department Staff believes that a straight B-2 zoning designation presents some difficulty in determining compatibility of land development given the large number of potential land uses that are permitted within a B-2 zoning district and the potential conflicts that some of these land uses may create to adjoining properties. The land development plan also emphasizes limiting the expansion of commercial development outside of designated mixed-use Activity Centers and Employment Centers. The property is not located in a designated Activity Center or Employment Center.

Given these factors and the land development plan's recommendation that the subject property remain designated for neighborhood residential use, staff recommended denial of the request. In contrast, the Planning Board recommended approval of the request. The Planning Board reasoned that, since the property had been approved on several occasions for non-residential use, the request was in keeping with the context of the area.

Mr. Lee Roberts, representing the Applicant spoke for the request and presented maps which are on file in the City Clerk's office.

Mr. H.R. Gallimore with Remax Realty spoke in support of the request.

Mr. Bob Hass spoke against the request because of his concerns about commercial development such as a convenience store.

Mr. Max Frazier, a resident of Parkway South Town Homes, spoke against the request in that he had concerns about storm water drainage.

There being no further comments from the public or city staff, Mayor Jarrell closed the public hearing.

Upon motion by Mr. Crisco and seconded by Mr. Moffitt, Council voted unanimously to approve the requested rezoning. The council adopted the Planning Board's analysis of the request and based its action on the fact that the area has changed since the time of the designation of the area as neighborhood residential.

NEW BUSINESS:

9. Land Use Issues:

- (a) **RZ-08-33: Request to rezone from CU-I1 (Conditional Use Light Industrial) and I-1 (Light Industrial) to OA-6 (Office-Apartment).** The property owned by Larry McKenzie is located at 1767 and 1801 Fairway Road and consists of approximately 3.32 acres of land. A portion of Randolph County Parcel Identification Number 7750542165 more specifically identifies the property. The property that is currently zoned I-1 and CU-I1 is part of this request. The portion of the property that is currently zoned R-7.5 is not part of the rezoning request.

Mayor Jarrell opened the public hearing on this request and initially recognized Mr. Neely. Mr. Neely presented the following staff analysis of the application filed by Mr. Larry McKenzie for the above-described rezoning:

"The subject property has a history of being utilized for industrial two-family residential uses and the Land Development Plan (LDP) map recommends that a portion of the property be utilized for industrial use and the remainder is designated as neighborhood residential.

The LDP also emphasizes the importance of having a transition between industrial land use and residential (particularly single-family residential land use).

Additionally, the OA-6 district will reduce the non-conformity of the current two-family residential use of the property. The number of permitted uses in an OA-6 district is more limited than in the I-1 zoning district, therefore, the potential for incompatibility between land uses is generally reduced. Considering all of these factors, staff believes that the request to rezone the property will increase the property's conformity to the goals and policies of the Land Development Plan. Therefore, staff recommends approval of the rezoning request and believe that it generally is within the public interest in promoting a reasonable use of the property."

The Planning Board concurred with the staff's analysis of the request and recommended approval of the application.

Mr. Larry McKenzie spoke for this request.

There being no opposition from the public, Mayor Jarrell closed the public hearing.

Upon motion by Mr. Baker and seconded by Ms. Carter, Council voted unanimously to adopt the analysis of the request rendered by the Planning Department Staff as well as the Planning Board and approved the requested rezoning.

- (b) **RZ-08-34: Technical Amendments to the Zoning Ordinance.**

Mayor Jarrell opened the public hearing on the following technical amendments to the Zoning Ordinance that were proposed by the Planning Department Staff and pertain to the following issues:

- (1) Temporary flea markets, temporary seasonal sales and related uses;
- (2) Changeable copy signs;
- (3) Definitions and permitting procedures for noncommercial, civic and philanthropic signs;
- (4) Creation of a "Office Development with Multi Use and/or Structures;" use with the associated definition and off-street parking requirements;
- (5) Modification of the definition of "Eating Establishment"; and
- (6) Modification of performance standards in residential, Commercial and Industrial Districts as they relate to outdoor lighting.

As noted by Mr. Neely, these amendments would impact the following articles of the Asheboro Zoning Ordinance:

- (1) Article 200 (Table of Uses 200-2 and Notes to Table 200-2)
- (2) Article 300A (Supplemental Regulations)
- (3) Article 400 (Off-Street Parking and Loading)

- (4) Article 500 (Signs)
- (5) Article 1100 (Definitions)

Additionally, Mr. Neely noted the following staff recommendation:

“Staff believes that the technical amendments address various issues with temporary flea markets and associated uses, create a more user-friendly permitting process for civic and philanthropic events, achieve a more streamlined review process for multi-use office developments, improve the quality of outdoor lighting and generally clarify vague language and definitions. Considering these factors, staff believes these Technical Amendments are reasonable and support the public interest.”

The Planning Board concurred with the staff's analysis and recommended approval of the proposed amendments.

There being no comments from the public, Mayor Jarrell closed the public hearing.

Upon motion by Ms. Carter and seconded by Mr. Priest, the Council voted unanimously to adopt the analysis rendered by the Planning Department Staff as well as the Planning Board and approved the proposed amendments to the Asheboro Zoning Ordinance.

[A copy of the text of the zoning ordinance amendments is on file in the City Clerk's office.]

(c) Consideration of the adoption by reference of the Randolph County Historic Landmark Preservation Ordinance.

Mayor Jarrell opened the public hearing on the proposed ordinance.

Mr. Neely read into the record the proposed ordinance.

There being no comment from the public, Mayor Jarrell closed the public hearing.

Upon motion by Ms. Carter and seconded by Mr. Baker, the Council voted unanimously to adopt the following ordinance.

57 ORD 10-08

AN ORDINANCE ADOPTING THE RANDOLPH COUNTY HISTORIC LANDMARK PRESERVATION ORDINANCE BY REFERENCE

WHEREAS, on June 2, 2008, the Randolph County Board of Commissioners adopted the Randolph County Historic Landmark Preservation Ordinance (the “Ordinance”); and

WHEREAS, pursuant to Section 2 of the Ordinance, this legislative enactment is “in effect in all unincorporated areas of Randolph County and may be adopted by reference and inter-local agreement by the governing board of a participating municipality;” and

WHEREAS, the Asheboro City Council agrees with the preamble and purposes of the Ordinance, specifically including without limitation the stated purpose of safeguarding the heritage of the county and the “participating municipalities by preserving any historic landmarks therein that embody important elements of its cultural, social, economic, political, archeological, or architectural history;” and

WHEREAS, during a regular meeting of the council on September 4, 2008, the Asheboro City Council approved an inter-local agreement with the Randolph County Board of Commissioners that designated a joint historic landmark preservation commission.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro as follows:

Section 1. The ordinance entitled "Randolph County Historic Landmark Preservation Ordinance" as adopted by the Randolph County Board of Commissioners on June 2, 2008 is hereby adopted in its entirety as an ordinance of the city that is applicable throughout the corporate limits of the city and its extraterritorial planning jurisdiction. All subsequent amendments thereto shall be likewise effective and enforceable throughout the city's territorial jurisdiction.

Section 2. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after the date of its adoption.

Adopted by the Asheboro City Council in regular session on the 9th day of October 2008.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

(d) Consideration of a letter received from Jim Routh (Routh Builders) requesting an extension in the time allowed by the Subdivision Ordinance between preliminary plat approval and final plat review for Olde Towne Village, Sections, I, II, and III.

Mr. Neely presented to the Council a written request submitted by Routh Builders for the above-described extension of time in order to allow for the completion of site improvements. A copy of the said written request is on file in the City Clerk's office.

Upon motion by Mr. Moffitt and seconded by Ms. Carter, Council voted unanimously to grant a 12-month extension of time.

10. Consideration of a petition received form Vernon Poole & Company, Inc. requesting contiguous annexation of 2.312 acres at 1140 US Hwy 64 West (Econo Oil Company).

Mayor Jarrell opened the public hearing on the proposed annexation of approximately 2.312 acres of land located at 1140 U.S. Highway 64 West.

There being no comments and no opposition from the public, Mayor Jarrell closed the public hearing.

Mr. Bunker presented and recommended adoption, by reference, of an ordinance to extend the corporate limits of the City of Asheboro, North Carolina.

Upon motion by Mr. Crisco and seconded by Mr. Priest, Council voted unanimously to adopt the following ordinance by reference.

**Ordinance Number 58 ORD 10-08
ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF ASHEBORO,
NORTH CAROLINA
(2.312 Acres of Land Located at 1140 U.S. Highway 64 West)**

WHEREAS, pursuant to Section 160A-31 of the North Carolina General Statutes, a petition signed by the owner of all of the real property located within the area hereinafter described was heretofore presented to the city council, by which petition a request was made that said area be annexed to the City of Asheboro; and

WHEREAS, the city council has by resolution directed the city clerk of the City of Asheboro to investigate the sufficiency of the petition, and the city clerk has certified the sufficiency of the said petition; and

WHEREAS, the city council did publish notice to the public on the 18th day of September 2008 in *The Courier-Tribune*, a newspaper having general circulation in the City of Asheboro, setting forth that a public hearing would be held during the city council's regular meeting at 7:00 o'clock p.m. on the 9th day of October 2008 at the City of Asheboro Municipal Building to consider the adoption of an ordinance annexing the said area to the City of Asheboro; and

WHEREAS, the said public hearing was in fact held on the 9th day of October 2008; and

WHEREAS, the city council has determined that the petition meets the requirements of Section 160A-31 of the North Carolina General Statutes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro, North Carolina as follows:

Section 1. By virtue of the authority granted in the North Carolina General Statutes, Chapter 160A, Article 4A, Part 1, the following described area is hereby annexed and made part of the City of Asheboro, North Carolina:

Asheboro Township, Randolph County, North Carolina:

BEGINNING at a point that is located at the intersection of the northern margin of the right-of-way for U.S. Highway 64 West with the eastern margin of the right-of-way for Fisher Circle, the said point is located at the southwest corner of the Vernon Poole & Company, Inc. property described in Deed Book 1900, Page 2244, Randolph County Public Registry; thence from the said beginning point North 25 degrees 00 minutes 37 seconds East 200.00 feet to an existing PK nail set at the northwest corner of the said Vernon Poole & Company, Inc. property; thence South 72 degrees 23 minutes 12 seconds East 205.82 feet along the Stephen R. Brueilly and Jayne A. Brueilly property described in Deed Book 1927, Page 1527, Randolph County Public Registry to an existing iron pin or pipe in concrete; thence along the Dorothy M. Frye property described in Deed Book 1396, Page 1057, Randolph County Public Registry the following course and distance: South 23 degrees 39 minutes 19 seconds East 227.58 feet to a nail set at a bent existing iron pin or pipe that is located on the existing primary corporate limits line for the City of Asheboro; thence along the existing primary corporate limits line for the City of Asheboro the following courses and distances: South 66 degrees 22 minutes 41 seconds West 42.32 feet to a new iron pin set in the northern margin of the right-of-way for U.S. Highway 64 West; thence South 67 degrees 01 minute 17 seconds West 229.00 feet across U.S. Highway 64 West to a point in the southern margin of the right-of-way for U.S. Highway 64 West; thence along the southern margin of the right-of-way for U.S. Highway 64 West as well as continuing along the existing primary corporate limits for the City of Asheboro the following courses and distances: North 72 degrees 19 minutes 44 seconds West 138.34 feet to a point; thence North 72 degrees 26 minutes 06 seconds West 57.03 feet to a point located by means of the North Carolina Coordinate System at the coordinates of North 705,706.55 feet and East 1,750,776.89 feet (NAD 27); thence North 25 degrees 00 minutes 37 seconds East 150.78 feet to the point and place of BEGINNING, and containing 2.312 acres of land, more or less, to be annexed.

The above-listed description is in accordance with a plat of survey entitled "Annexation Plat Prepared For City Of Asheboro." This plat of survey was drawn under the supervision of Steven D. Brown, Professional Land Surveyor with Registration Number L-1435, from an actual survey made under his supervision. The said plat of survey is dated August 13, 2008, and the job number for the plat of survey is 2008-013.

Section 2. Upon and after October 9, 2008, 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 Asheboro and shall be entitled to the same privileges and benefits as other parts of the City of Asheboro. Said territory shall be subject to municipal taxes according to section 160A-58.10 of the North Carolina General Statutes.

Section 3. The Mayor of the City of Asheboro shall cause to be recorded in the office of the Register of Deeds of Randolph County, North Carolina, and in the office of the Secretary of State of North Carolina at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Randolph County Board of Elections, as required by Section 163-288.1 of the North Carolina General Statutes.

Section 4. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be in full force and effect upon and after the 9th day of October 2008.

Adopted by the Asheboro City Council in regular session on the 9th day of October 2008.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

Approved as to form:

s/ Jeffrey C. Sugg
Jeffrey C. Sugg, City Attorney

11. Consideration of a petition received from Pugh Oil Company, Inc. requesting contiguous annexation of 1.509 acres at 705 McDowell Road.

(a) Mr. Bunker presented and recommended adoption, by reference, of a resolution directing the city clerk to investigate a petition requesting contiguous annexation of 1.509 acres of land located at 705 McDowell Road.

Upon motion by Mr. Crisco and seconded by Mr. Baker, Council voted unanimously to adopt the following resolution by reference.

51 RES 10-08

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE AN ANNEXATION PETITION RECEIVED PURSUANT TO SECTION 160A-31 OF THE NORTH CAROLINA GENERAL STATUTES (1.509 Acres of Land Located at 705 McDowell Road)

WHEREAS, a petition requesting the annexation of approximately 1.509 acres of land located at 705 McDowell Road has been received by the Asheboro City Council from Pugh Oil Company, Inc., which is the owner of the parcel of land for which annexation is requested; and

WHEREAS, Section 160A-31 of the North Carolina General Statutes provides that the sufficiency of the petition shall be investigated by the city clerk before further annexation proceedings may take place; and

WHEREAS, in response to this petition, the city council has decided to proceed with the statutorily prescribed voluntary annexation proceedings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, North Carolina that the city clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the city council the results of her investigation.

Adopted by the Asheboro City Council in regular session on the 9th day of October 2008.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

CERTIFICATE OF SUFFICIENCY
(1.509 Acres of Land Located at 705 McDowell Road)

TO: The City Council of the City of Asheboro, North Carolina

I, Tamela D. Garner, Deputy City Clerk of the City of Asheboro, North Carolina, do hereby certify that I have investigated the petition attached hereto. As a consequence of that investigation, I have found as a fact that all owners of real property lying in the area described therein have signed the said petition, and the petition appears to be sufficient to satisfy the provisions of Section 160A-31 of the North Carolina General Statutes.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Asheboro, North Carolina in order to make this certification effective as of the 9th day of October 2008.

(SEAL)

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

(b) As a consequence of the receipt of written certification from the Deputy City Clerk as to the sufficiency of said annexation petition, Mr. Bunker presented and recommended adoption, by reference, of a resolution fixing the date for a public hearing on the question of annexation.

Upon motion by Mr. Priest and seconded by Mr. Burks, Council voted unanimously to adopt the following resolution by reference.

**RESOLUTION SETTING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT
TO SECTION 160A-31 OF THE
NORTH CAROLINA GENERAL STATUTES**

(1.509 Acres of Land Located at 705 McDowell Road)

WHEREAS, a petition requesting annexation of the area described herein has been received;
and

WHEREAS, the City Council of the City of Asheboro, North Carolina has, by resolution, directed the city clerk to investigate the sufficiency of this petition; and

WHEREAS, on the basis of her review of information gathered by city staff members during an investigation of the submitted petition, the deputy city clerk has certified to the city council the sufficiency of this petition to proceed with setting a date for a public hearing on the question of annexation pursuant to Section 160A-31 of the North Carolina General Statutes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, North Carolina as follows:

Section 1. A public hearing on the question of annexation of the area described herein will be held in the Council Chamber of the City of Asheboro Municipal Building, which is located at 146 North Church Street in the City of Asheboro, North Carolina, during the city council's regular meeting that is to be held at 7:00 o'clock p.m. on the 6th day of November 2008.

Section 2. The area proposed for annexation is described on the attached sheet that is identified as EXHIBIT 1 and is hereby incorporated into this resolution by reference as if copied fully herein.

Section 3. Notice of the public hearing shall be published in *The Courier-Tribune*, a newspaper having general circulation in the City of Asheboro, at least ten (10) days prior to the date of the public hearing.

Adopted by the Asheboro City Council in regular session on the 9th day of October 2008.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

EXHIBIT 1

Asheboro Township, Randolph County, North Carolina:

BEGINNING at a new iron rod set at a power pole at the intersection of the eastern margin of the 50-foot right-of-way for New Century Drive (North Carolina Secondary Road No. 1244) with the southern margin of the right-of-way for McDowell Road (North Carolina Secondary Road No. 1150), the said point is located by means of the North Carolina Coordinate System at the coordinates of North 699,781.43141 feet and East 1,753,405.00493 feet (NAD 83); thence from the said beginning point following the existing primary corporate limits line for the City of Asheboro, which runs along the eastern margin of the right-of-way for New Century Drive, by following in a southwesterly direction the arc of a curve with a radius of 290.20 feet a chord bearing and distance of South 04 degrees 03 minutes 01 second West 115.93 feet (Arc Distance = 116.72 feet; Tangent = 59.16 feet; Delta Angle = 23 degrees 02 minutes 37 seconds) to an existing iron pipe; thence in a southeasterly direction along the existing primary corporate limits line for the City of Asheboro and the eastern margin of the right-of-way for New Century Drive by following the arc of a curve with a radius of 302.43 feet a chord bearing and distance of South 00 degrees 35 minutes 21 seconds East 90.97 feet (Arc Distance = 91.32 feet; Tangent = 46.01 feet; Delta Angle = 17 degrees 18 minutes 01 second) to an existing iron pipe that is a control corner; thence departing from the eastern margin of the right-of-way for New Century Drive and continuing to follow the existing primary corporate limits line for the City of Asheboro the following course and distance: South 73 degrees 13 minutes 07 seconds East 282.69 feet to an existing iron pipe that is a control corner; thence North 14 degrees 40 minutes 30 seconds East 230.63 feet along the western boundary line of the Pugh Oil Company property described in Deed Book 1212, Page 1419, Randolph County Public Registry to an existing iron pipe set in the southern margin of the right-of-way for McDowell Road; thence in a northwesterly direction following the

southern margin of the right-of-way for McDowell Road along the arc of a curve with a radius of 1,462.39 feet a chord bearing and distance of North 78 degrees 24 minutes 57 seconds West 50.07 feet (Arc Distance = 50.07 feet; Tangent = 25.04 feet; Delta Angle = 01 degree 57 minutes 43 seconds) to an existing iron pipe; thence continuing to follow the southern margin of the right-of-way for McDowell Road in a northwesterly direction along the arc of a curve with a radius of 1,462.39 feet a chord bearing and distance of North 75 degrees 26 minutes 14 seconds West 101.84 feet (Arc Distance = 101.86 feet; Tangent = 50.95 feet; Delta Angle = 03 degrees 59 minutes 27 seconds) to an existing iron pipe; thence continuing along the southern margin of the right-of-way for McDowell Road the following courses and distances: South 16 degrees 33 minutes 37 seconds West 20.00 feet to a right-of-way monument; thence North 73 degrees 49 minutes 01 second West 175.55 feet to the point and place of BEGINNING, and containing 1.509 acres of land, more or less, to be annexed.

The above-listed description is in accordance with a plat of survey entitled "ANNEXATION SURVEY FOR THE CITY OF ASHEBORO." This plat of survey was drawn under the supervision of Jerry A. King, Professional Land Surveyor with Registration Number L-3373, from an actual survey made under his supervision. The said plat of survey is dated September 5, 2008, and the job number for the plat of survey is 5512 P 10.

12. Consideration of petition received from Baybuilt Properties, LLC requesting contiguous annexation of 0.756 of an acre at the southwest corner of Lincoln Avenue and Wilson Street.

(a) Mr. Bunker presented and recommended adoption, by reference, of a resolution directing the city clerk to investigate a petition requesting contiguous annexation of 0.756 of an acre of land located at the southwest corner of Lincoln Avenue and Wilson Street.

Upon motion by Mr. Smith and seconded by Mr. Burks, Council voted unanimously to adopt the following resolution by reference.

53 RES 10-08

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE AN ANNEXATION PETITION RECEIVED PURSUANT TO SECTION 160A-31 OF THE NORTH CAROLINA GENERAL STATUTES (0.756 of an Acre of Land Located in the Vicinity of the Southwest Corner of the Intersection of Lincoln Avenue and Wilson Street)

WHEREAS, a petition requesting the annexation of approximately 0.756 of an acre of land located in the vicinity of the southwest corner of the intersection of Lincoln Avenue and Wilson Street has been received by the Asheboro City Council from Baybuilt Properties, L.L.C., which is the owner of the parcel of land for which annexation is requested; and

WHEREAS, Section 160A-31 of the North Carolina General Statutes provides that the sufficiency of the petition shall be investigated by the city clerk before further annexation proceedings may take place; and

WHEREAS, in response to this petition, the city council has decided to proceed with the statutorily prescribed voluntary annexation proceedings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, North Carolina that the city clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the city council the results of her investigation.

Adopted by the Asheboro City Council in regular session on the 9th day of October 2008.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

CERTIFICATE OF SUFFICIENCY
(0.756 of an Acre of Land Located in the Vicinity of the Southwest Corner of the Intersection of Lincoln Avenue and Wilson Street)

TO: The City Council of the City of Asheboro, North Carolina

I, Tamela D. Garner, Deputy City Clerk of the City of Asheboro, North Carolina, do hereby certify that I have investigated the petition attached hereto. As a consequence of that investigation, I have found as a fact that all owners of real property lying in the area described therein have signed the said petition, and the petition appears to be sufficient to satisfy the provisions of Section 160A-31 of the North Carolina General Statutes.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Asheboro, North Carolina in order to make this certification effective as of the 9th day of October 2008.

(SEAL)

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

(b) As a consequence of the receipt of written certification from the Deputy City Clerk as to the sufficiency of said annexation petition, Mr. Bunker presented and recommended adoption, by reference, of a resolution fixing the date for a public hearing on the question of annexation.

Upon motion by Mr. Baker and seconded by Mr. Smith, Council voted unanimously to adopt the following resolution by reference.

54 RES 10-08

RESOLUTION SETTING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO SECTION 160A-31 OF THE NORTH CAROLINA GENERAL STATUTES
(0.756 of an Acre of Land Located in the Vicinity of the Southwest Corner of the Intersection of Lincoln Avenue and Wilson Street)

WHEREAS, a petition requesting annexation of the area described herein has been received;
and

WHEREAS, the City Council of the City of Asheboro, North Carolina has by resolution directed the city clerk to investigate the sufficiency of this petition; and

WHEREAS, on the basis of her review of information gathered by city staff members during an investigation of the submitted petition, the deputy city clerk has certified to the city council the sufficiency of this petition to proceed with setting a date for a public hearing on the question of annexation pursuant to Section 160A-31 of the North Carolina General Statutes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, North Carolina as follows:

Section 1. A public hearing on the question of annexation of the area described herein will be held in the Council Chamber of the City of Asheboro Municipal Building, which is located at 146 North Church Street in the City of Asheboro, North Carolina, during the city council's regular meeting that is to be held at 7:00 o'clock p.m. on the 6th day of November 2008.

Section 2. The area proposed for annexation is described on the attached sheet that is identified as EXHIBIT 1 and is hereby incorporated into this resolution by reference as if copied fully herein.

Section 3. Notice of the public hearing shall be published in *The Courier-Tribune*, a newspaper having general circulation in the City of Asheboro, at least ten (10) days prior to the date of the public hearing.

Adopted by the Asheboro City Council in regular session on the 9th day of October 2008.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

EXHIBIT 1

Asheboro Township, Randolph County, North Carolina:

BEGINNING at a computed point located on the existing primary corporate limits line for the City of Asheboro and in the eastern margin of the 30-foot right-of-way for Lincoln

Avenue (North Carolina Secondary Road No. 1458), the said computed point is located South 03 degrees 35 minutes 22 seconds West 95.07 feet from an existing iron pipe set at the intersection of the eastern margin of the right-of-way for Lincoln Avenue with the southern margin of the 30-foot right-of-way for Wilson Street (North Carolina Secondary Road No. 1461) and located by means of the North Carolina Coordinate System at the coordinates of North 717,567.24 feet and East 1,753,766.96 feet (NAD 83); thence from the said beginning point along the eastern margin of the right-of-way for Lincoln Avenue and the existing primary corporate limits line for the City of Asheboro the following course and distance: South 03 degrees 35 minutes 22 seconds West 95.70 feet to an existing iron pipe; thence across the right-of-way for Lincoln Avenue and continuing along the existing primary corporate limits line for the City of Asheboro the following courses and distances: South 76 degrees 07 minutes 29 seconds West 39.24 feet to a computed point; thence North 87 degrees 24 minutes 16 seconds West 3.42 feet to an existing iron pipe; thence North 87 degrees 24 minutes 16 seconds West 138.66 feet along the northern boundary line of the Baybuilt Properties, L.L.C. property described in Deed Book 1798, Page 947, Randolph County Public Registry to an existing iron pipe; thence along the northern boundary line of the H.R. Gallimore, Jr. and Vickie H. Gallimore property described in Deed Book 1851, Page 1352, Randolph County Public Registry the following course and distance: North 89 degrees 56 minutes 19 seconds West 49.02 feet to an existing iron pipe control corner located by means of the North Carolina Coordinate System at the coordinates of North 717,373.92 feet and East 1,753,525.97 feet (NAD 83); thence along the eastern boundary line of the H.R. Gallimore, Jr. and Vickie H. Gallimore property described in Deed Book 1925, Page 565, Randolph County Public Registry the following courses and distances: North 02 degrees 55 minutes 41 seconds East 98.47 feet to an existing iron pipe; thence North 02 degrees 55 minutes 41 seconds East 100.80 feet to an existing iron pipe control corner set in the southern margin of the right-of-way for Wilson Street and located by means of the North Carolina Coordinate System at the coordinates of North 717,572.94 feet and East 1,753,536.15 feet (NAD 83); thence South 89 degrees 12 minutes 39 seconds East 94.35 feet along the southern margin of the right-of-way for Wilson Street to an existing iron pipe; thence South 02 degrees 55 minutes 41 seconds West 92.40 feet along the western boundary line of the James Daniel Ward and Shirley B. Ward property described in Deed Book 2071, Page 1746, Randolph County Public Registry to an existing iron pipe; thence South 86 degrees 24 minutes 38 seconds East 104.81 feet along the southern boundary line of the said Ward property to an existing iron pipe set in the western margin of the right-of-way for Lincoln Avenue; thence South 89 degrees 10 minutes 32 seconds East 30.64 feet across the right-of-way for Lincoln Avenue to the point and place of BEGINNING, and containing 0.756 of an acre of land, more or less, to be annexed.

The above-listed description is in accordance with a plat of survey entitled "ANNEXATION PLAT PREPARED FOR City Of Asheboro Wilson St. & Lincoln Ave. (Area)." This plat of survey was drawn under the supervision of Glenn L. Brown, Professional Land Surveyor with Registration Number L-3663, from an actual survey made under his supervision. The said plat of survey is dated September 19, 2008, and the job number for the plat of survey is G08045AX2.

13. Public comment period.

There being no comments from the public, Mayor Jarrell closed the public comment period.

14. Update on fuel management plan.

Mr. Kivett gave a presentation of the fuel management plan. A copy of the power point presentation utilized by Mr. Kivett is on file in the City Clerk's office.

15. Upcoming events.

The NCLM Centennial Conference October 12-14, 2008 in Charlotte, North Carolina.

City of Asheboro Health Fair, October 15, 2008 from 8:30 a.m. until 2:00 p.m. at the City of Asheboro Public Works Facility.

16. Items not on the agenda.

No additional items were acted upon by the Council.

There being no further business the meeting was adjourned at 9:38 p.m.

s/ Tamela D. Garner
Tamela D. Garner, Deputy City Clerk

s/ David H. Jarrell
David H. Jarrell, Mayor