

**REGULAR MEETING  
ASHEBORO CITY COUNCIL  
THURSDAY, NOVEMBER 8, 2007  
7:00 p.m.**

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

David H. Jarrell            ) – Mayor Presiding  
  
Talmadge Baker            )  
Linda Carter                )  
Keith Crisco                )  
Nancy Hunter               ) – Council Members Present  
Walker Moffitt             )  
Archie Priest                )  
David Smith                 )

John N. Ogburn, III, City Manager  
Edsel L. Brown, Code Compliance Inspector  
Dumont Bunker, P.E., City Engineer  
Richard L. Cox, Jr., Community Planning and Development Department Intern  
Holly H. Doerr, City Clerk/Senior Legal Assistant  
John L. Evans, Planner  
R. Wendell Holland, Jr., Zoning Administrator  
Richard Foster Hughes, Recreation Director  
Deborah P. Juberg, Finance Director  
R. Reynolds Neely, Jr., Planning Director  
O. Lynn Priest, Community Development Director  
James W. Smith, Fire Chief  
Jeffrey C. Sugg, City Attorney  
Ricky Wilson, Police Captain

**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. Pledge of Allegiance.**

Mayor Jarrell asked everyone to stand and repeat the Pledge of Allegiance. Mr. Paul Trollinger, a former member of the Asheboro City Council, gave the invocation.

**3. Appearance and recognition of guests and citizens.**

Mayor Jarrell welcomed everyone in attendance.

**4. Consent Agenda.**

At the request of city staff, and upon motion by Mr. Crisco and seconded by Mr. Priest, Council voted unanimously to continue the following consent agenda items.

- (a) Findings of fact, conclusions of law, and order in the matter of SUP-07-05.** [Agenda Item 4(c)]
- (b) Findings of fact, conclusions of law, and order in the matter of CUP-07-10.** [Agenda Item 4(d)]
- (c) Findings of fact, conclusions of law, and order in the matter of CUP-07-12.** [Agenda Item 4(e)]

Upon motion by Mr. Smith and seconded by Ms. Carter, Council voted unanimously to approve the remaining consent agenda items.

- (a) The minutes of the regular meeting of the City Council that was held on October 4, 2007.**

- (b) The amended minutes of the regular and special meetings of the City Council that were held on October 10, 2005, October 20, 2005, August 24, 2006, and April 5, 2007.
- (c) A request by the Randolph County Veteran's Council to temporarily close Church Street from Hoover Street to Kivett Street, Sunset Avenue from Church Street to Fayetteville Street, Fayetteville Street from Academy Street to Salisbury Street, and Worth Street from Fayetteville Street to Cox Street for a Veteran's Day Parade from 2:30 p.m. to 3:30 p.m. on November 11, 2007. [Agenda Item 4(f)]
- (d) A request from the Chamber of Commerce to temporarily close Kivett Street between Fayetteville and Church Street, South Church Street from Sunset Avenue to Walker Avenue, Sunset Avenue from Church Street east to Fayetteville Street, and South Fayetteville Street from Salisbury Street to Kivett Street for the Annual Christmas parade at 7:00 p.m. on Friday, December 7, 2007. [Agenda Item 4(g)]
- (e) A request from the Asheboro/Randolph Chamber of Commerce Downtown Development Committee to temporarily close Sunset Avenue (from Park Street to Fayetteville Street) and Church Street (from Academy Street to Hoover Street) on December 14, 2007, from 6:00 p.m. to 9:00 p.m. for a downtown "Christmas on Sunset" street festival. [Agenda Item 4(h)]
- (f) A resolution approving the job description and class allocation within the City's position classification plan of the new GIS/IT Specialist position. [Agenda Item 4(i)]

51 RES 11-07

**RESOLUTION APPROVING THE CLASS ALLOCATION OF THE POSITION OF GIS/IT SPECIALIST  
IN THE INFORMATION TECHNOLOGY DEPARTMENT UNDER THE CITY OF ASHEBORO  
POSITION CLASSIFICATION PLAN**

**WHEREAS**, the City of Asheboro Personnel Policies and Procedures Manual, which was promulgated by the City Manager and approved by resolution of the City Council of the City of Asheboro on March 4, 2004, 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**, 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 Information Technologist has concluded that the duties and corresponding job description of the GIS/IT Specialist should be approved in order to enhance the operations of the Information Technology Department; and

**WHEREAS**, the Information Technologist has properly submitted a comprehensive job description for this position, 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 Information Technologist; and

**WHEREAS**, upon the recommendation of the Director of Human Resources, the City Manager has determined that, in order to enhance the information technology services provided to the citizens of Asheboro, that the position of GIS/IT Specialist should be established at a pay grade of 21; and

**BE IT FURTHER RESOLVED** that the pay grade recommendation made by the City Manager for this position is hereby adopted and approved without modification, to be effective November 8, 2007.

Adopted by the Asheboro City Council in regular session on this the 8th day of November, 2007.

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

ATTEST:

\_\_\_\_\_  
s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

**EXHIBIT 1**

**GIS/IT SPECIALIST**  
Information Technologist's Office

F.L.S.A.  
NONEXEMPT

**General Statement of Duties**

Performs difficult professional work and high level technical functions in administering the Geographical Information System (GIS) and the delivery of associated GIS services. Work also includes assisting the city's Information Technologist in the preparation and production of all computer systems, including web site development.

**Distinguishing Features of the Class**

An employee in this class performs difficult professional work and high level technical functions in administering the development, implementation, coordination and maintenance of the Geographical Information System (GIS) and applications and the delivery of associated GIS services. Also performs a variety of planning, design and production activities.

**Illustrative Examples of Work**

- Coordinates the planning, design, implementation and maintenance of the general GIS system development;
- Administers and monitors quality assurance and quality control of the GIS graphics and database;
- Coordinates application development including design, programming, implementation, testing and documentation;
- Coordinates and assists in the development of special projects and requests for assistance from user departments and the public;
- Develops and programs appropriate interfaces to city administrative applications and other systems;
- Manages and facilitates the acquisition of hardware, software and peripherals for the GIS system;
- Develops a training curriculum for system users, coordinates the training and/or personally trains users in the operations of a computerized geographic information system and provides technical assistance following training;
- Researches new technological developments and incorporates them into the city's strategies;
- Advises City Engineer on preparation and justification for budget requests needed for new and additional projects and programs and/or modifications to existing geographical information systems;
- Installs computer hardware and software at all city office sites;
- Troubleshoots hardware and software problems and errors in computer equipment or software, determines cause of error or stoppage, applies corrective techniques in cases where problems can be corrected or arranges for repair of faulty equipment;
- Assists with training for all city employees in the use of technology;
- Assists in web site development;
- Answers telephone and provides technical support expertise;
- Performs related work as required.

**Knowledge, Skills and Abilities**

Thorough knowledge of engineering practices and land survey methods;  
Thorough knowledge of the principals of database development and geographic information systems;

Thorough knowledge of mapping and graphic work;

Thorough knowledge of equipment used in drafting and illustration work;

Thorough knowledge of mathematics, computers, surveying software and CAD systems;

Ability to carry out duties and follow complex verbal and written instructions with a minimum of detail;

Must be able to communicate effectively in both oral or written formats;

Ability to comprehend and analyze various types of data including numerical, tabular, social, economic, etc.;

Ability to make presentations before various audiences;

Must have good computer skills;

Ability to plan and schedule work efficiently;

Ability to work with others effectively;

Ability to work out-of-doors under adverse conditions;

**Minimum Experience and Training**

Graduation from an accredited high school. Graduation from a technical school or community college with an associate's degree in information science, cartography, geographic information, or design preferred. Some experience in map compilation quality control, GIS hardware and software preferred. Some experience in web site development preferred. Experience in practical engineering and survey work, or an equivalent combination of experience and training.

**Special Requirements**

Must possess a valid North Carolina driver's license and have a safe driving record.

**Physical Requirements**

Must be able to carry 50 pounds. Works in undeveloped terrain in varying weather conditions.

- (g) **A resolution approving the job description and class allocation within the City's position classification plan of the new Sanitation Clerk position.** [Agenda Item 4(j)]

**52 RES 11-07**

**RESOLUTION APPROVING THE CLASS ALLOCATION OF THE POSITION OF SANITATION CLERK IN THE SANITATION DEPARTMENT UNDER THE CITY OF ASHEBORO POSITION CLASSIFICATION PLAN**

**WHEREAS**, the City of Asheboro Personnel Policies and Procedures Manual, which was promulgated by the City Manager and approved by resolution of the City Council of the City of Asheboro on March 4, 2004, 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**, 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 Sanitation Superintendent has concluded that the duties and corresponding job description of the Sanitation Clerk should be approved in order to enhance the operations of the Sanitation Department; and

**WHEREAS**, the Sanitation Superintendent has properly submitted a comprehensive job description for this position, 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 Sanitation Superintendent; and

**WHEREAS**, upon the recommendation of the Director of Human Resources, the City Manager has determined that, in order to enhance the solid waste services provided to the citizens of Asheboro, that the position of Sanitation Clerk should be established at a pay grade of 9; and

**BE IT FURTHER RESOLVED** that the pay grade recommendation made by the City Manager for this position is hereby adopted and approved without modification, to be effective November 8, 2007.

Adopted by the Asheboro City Council in regular session on this the 8th day of November, 2007.

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

ATTEST:

s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

## EXHIBIT 1

### **SANITATION CLERK Sanitation Department Public Works Division**

F.L.S.A.  
NONEXEMPT

#### **General Statement of Duties**

Performs moderately difficult and varied secretarial work in the preparation of correspondence and the processing of forms and records. Also performs cash handling and general clerical work in the collection of payments and billing for the Sanitation Department.

#### **Distinguishing Features of the Class**

An employee in this class is responsible for performing a variety of secretarial tasks relating to the responsibilities of the Sanitation Department. Secretarial and clerical tasks are performed according to moderately complex procedures. Duties frequently involve contact with the public, including billing and collecting payables for the Sanitation Department. Detailed instructions are given at the beginning of work; however, after employee becomes familiar with routines, they are expected to work with considerable independence. Completed work is subject to review by the Sanitation Superintendent and in some instances by employees of other departments engaged in reviewing personnel and accounting records. Work is evaluated through observation and review of completed work for accuracy, completeness and adherence to instructions and procedures.

#### **Illustrative Examples of Work**

- Types notes, stencils, correspondence, contracts, leases, requisitions, personnel forms, equipment forms, accounting reports and a wide variety of operating records;
- Operates computer and associated equipment in the performance of computations and the preparation of reports;
- Operates office business machines and appliances in the performance of computations and the preparation of reports;
- Acts as a receptionist for the Sanitation Department, answers oral requests for information and interprets departmental policies, receives and routes telephone calls, arranges for appointments and meetings for supervisors;
- Bills and collects payables for the Sanitation Department;
- Sorts and files correspondence, reports, records and other materials according to pre-determined classifications;
- Prepares and maintains office records, reports and forms containing statistical information, personnel histories, financial information and other data related to departmental operations;
- Performs related work as required.
- May perform a variety of tasks in the public works division when not engaged in duties in the sanitation department.

#### **Knowledge, Skills and Abilities**

Considerable knowledge of business English, spelling and commercial arithmetic;  
Considerable knowledge of computer and associated equipment in the performance of computation and the preparation of reports;  
Knowledge of modern office appliances, practices and procedures;  
Skill in operating a typewriter and other office appliances, in making arithmetic computations and in filing;  
Ability to maintain moderately complex clerical records and to prepare reports for such records;  
Considerable knowledge of cash collection procedures;  
Ability to accurately handle money and to maintain accurate records;  
Ability to balance accurately on a regular basis in a timely manner;  
Ability to deal tactfully and courteously with the public on both phone as well as in person;  
Ability to give sound information in accordance with laws, ordinances, regulations and departmental rules and procedures;  
Ability to understand and follow quickly and accurately brief oral and written instructions on moderately complex matters;  
Ability to establish and maintain effective working relationships with the general public, department personnel and other city employees.

#### **Minimum Experience and Training**

Graduation from an accredited high school with supplemental course work in typing and secretarial science. Some experience in general office work involving public contact or experience as a teller or cashier. Experience in performing secretarial work or an equivalent combination of experience and training.

**Special Requirements**

Must possess a valid North Carolina driver's license and a safe driving record.  
Computer skills.

**Physical Requirements**

Must be able to lift 10 to 25 pounds.

- (h) **A resolution approving revised job descriptions for the positions of Police Chief, Police Major, Police Captain, Master Police Lieutenant, Police Lieutenant, Police Sergeant, Master Police Officer, Police Officer II, Police Officer I, Property/Evidence Technician, Animal Control Officer, and Records Clerk II.** [Agenda Item 4(k)]

**53 RES 11-07**

**RESOLUTION APPROVING THE CLASS ALLOCATION OF SPECIFIED POLICE DEPARTMENT  
POSITIONS UNDER THE CITY OF ASHEBORO  
POSITION CLASSIFICATION PLAN**

**WHEREAS**, the City of Asheboro Personnel Policies and Procedures Manual, which was promulgated by the City Manager and approved by resolution of the City Council of the City of Asheboro on March 4, 2004, 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, the classification of Police Chief has been established with a pay grade of 30, Police Major with a pay grade of 27, Police Captain with a pay grade of 25, Master Police Lieutenant with a pay grade of 23, Police Lieutenant with a pay grade of 22, Police Sergeant with a pay grade of 19, Master Police Officer with a pay grade of 17, Police Officer II with a pay grade of 16, Police Officer I with a pay grade of 15, Property/Evidence Technician with a pay grade of 15, Animal Control Officer with a pay grade of 14, and Records Clerk II with a pay grade of 10 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 . . . 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 Police Chief has made the determination that in order to reconcile the corresponding job descriptions of these positions with the recently revised Police Department Promotional Process guidelines, the corresponding job descriptions of the Police Chief, Police Major, Police Captain, Master Police Lieutenant, Police Lieutenant, Police Sergeant, Master Police Officer, Police Officer II, Police Officer I, Property/Evidence Technician, Animal Control Officer, and Records Clerk II should be changed in order to enhance the operations of the police department; and

**WHEREAS**, the Police Chief has prepared revised comprehensive job descriptions for the positions of Police Chief, Police Major, Police Captain, Master Police Lieutenant, Police Lieutenant, Police Sergeant, Master Police Officer, Police Officer II, Police Officer I, Property/Evidence Technician, Animal Control Officer, and Records Clerk II and has submitted these job descriptions (hereinafter referred to as the "Job Descriptions") to the Director of Human Resources and to the City Manager for review; and

**WHEREAS**, the Job Descriptions are attached to this resolution as Exhibit 1 and are 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 Descriptions, and the City Manager has determined that the revised duties of these positions do not materially impact the current classification of the positions under the city's position classification plan.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro that the Job Descriptions attached hereto as Exhibit 1 are hereby approved; and

**BE IT FURTHER RESOLVED** that the recommendation of the City Manager to maintain the current classification of the positions of Police Chief, Police Major, Police Captain, Master Police Lieutenant, Police Lieutenant, Police Sergeant, Master Police Officer, Police Officer II, Police Officer I,

Property/Evidence Technician, Animal Control Officer, and Records Clerk II under the city's position classification plan is adopted and approved without modification.

Adopted by the Asheboro City Council in regular session on this the 8<sup>th</sup> day of November, 2007.

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

ATTEST:

s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

**EXHIBIT 1**  
**POLICE CHIEF**

**F.L.S.A.**  
**EXEMPT**

**General Statement of Duties**

Performs responsible administrative and supervisory work in planning and directing the activities of the city's Police Department.

**Distinguishing Features of the Class**

An employee in this class plans, directs, coordinates, supervises and promotes the law enforcement of the city. Considerable independent judgment and initiative are required. Work is performed in accordance with modern law enforcement practices and principles. The employee is subject to the usual hazards of police work. Work is performed under the general direction of the City Manager and is evaluated through review of records and reports, by an appraisal of the general effectiveness of departmental operations and in conferences.

**Illustrative Examples of Work**

- Plans and directs operations of the Police Department including patrolling, investigations, arrests and preparation and maintenance of reports and records;
- Ensures personnel are trained and keeps them informed of new or changed laws;
- Develops and enforces department policy, rules, and regulations; determines practices and methods to be used by department personnel;
- Explains and interprets personnel rules and regulations to employees;
- Prepares annual budget for the department, in consultation with the City Manager, for presentation to the governing board;
- Coordinates with other law enforcement agencies;
- Promotes citizen understanding and support of law enforcement and crime prevention programs;
- Reviews records and reports prepared by subordinate personnel; prepares reports;
- Performs related work as required.

**Knowledge, Skills and Abilities**

Thorough knowledge of the policies, practices, and procedures necessary for the administration of a modern law enforcement program;  
Thorough knowledge of local policies, rules, and regulations affecting the operation of the department;  
Considerable knowledge of federal, state, and local laws pertaining to law enforcement;  
Considerable knowledge of the geography and economic and social aspects of the City;  
Knowledge of the organization and functions of the city government;  
Skill in the use of firearms and other police equipment;  
Ability to train, supervise and evaluate the work of others;  
Ability to plan, organize, and evaluate law enforcement and crime prevention programs;  
Ability to exercise sound judgment in routine and emergency situations;  
Ability to deal firmly and tactfully with the public;  
Ability to establish and maintain effective working relationships with the public, elected officials, other law enforcement agencies, subordinates, and other City employees.

**Minimum Experience and Training**

A four year degree or higher is required.  
Extensive experience in law enforcement work, including considerable supervisory and command experience.

### **Physical Requirements**

May occasionally work outdoors in varying weather conditions.

## **POLICE MAJOR**

**F.L.S.A.  
EXEMPT**

### **General Statement of Duties**

Performs administrative and supervisory police work, which includes responsibility for assisting the Police Chief in the effective operation of the Police Department.

### **Distinguishing Features of the Class**

An employee in this class is responsible for the coordination of the work of the Special Services, Uniform and Investigation Divisions of the Police Department, as well as supervising the Property Evidence Control and Animal Control, under the general direction of the Police Chief. The employee in this position is governed by policies set forth by city ordinances, state laws and directions of the Police Chief, but must frequently exercise independent judgment and administrative discretion in making decisions. Supervision is exercised through the Captains over all subordinate employees in the Police Department. Work is performed under the general supervision of the Police Chief and is evaluated by observation, in discussions, and by review of records and reports.

### **Illustrative Examples of Work**

- Plans and supervises the enforcement of traffic and safety regulations and programs of crime prevention and detection, safety, and juvenile work, and administration;
- Makes inspections of all police operations to ascertain if functioning smoothly and effectively;
- Reviews employee problems and takes whatever steps are necessary to maintain high morale among members of the police force;
- Regularly reviews expenditure of division appropriations and helps the Chief prepare annual budget estimates of needs;
- Supervises and participates in training of members of the police force in police procedures, duties and proper use of equipment;
- Receives and disposes of complaints and makes reports thereon to the Police Chief;
- Speaks to civic organizations, school assemblies and other group meetings on the functions, activities and policies of the Police Department;
- Supervises police records and activities to insure that persons arrested are properly booked and that records are maintained properly;
- Installs accounting procedures to make certain that fines or bonds collected are properly received and accounted for;
- Makes periodic and special inspections of daily, monthly and yearly reports for form and content;
- Makes continuous analysis of evaluations of police records with a view toward improving methods and results;
- Keeps records and makes reports;
- Administers Internal Affairs;
- Performs related work as required.

### **Knowledge, Skills and Abilities**

Thorough knowledge of modern law enforcement practices and procedures;  
Thorough knowledge of federal, state, and local laws affecting law enforcement;  
Considerable knowledge of the geographic and street system of the city;  
Considerable knowledge of police communications procedures;  
Skill in the use of firearms and other police equipment;  
Ability to exercise sound judgment in routine and emergency situations;  
Ability to train and supervise other officers;  
Ability to deal tactfully and firmly with the public;  
Ability to prepare accurate records and reports and maintains record-keeping systems;  
Ability to maintain cooperative and effective public relations;  
Ability to establish and maintain effective working relationships with the general public, other public safety personnel, and other city employees.

### **Minimum Experience and Training**

Must have attained the rank of Captain.  
Must not have received any disciplinary action involving loss of pay for one year, or loss of rank for three years.

### **Special Requirements**

Must possess a valid driver's license issued by the State of North Carolina.  
Must live within thirty (30) minutes distance from the Asheboro Police Department.  
Must adhere to the on-call practices and procedures followed by the Asheboro Police Department.

### **Physical Requirements**

May occasionally work outdoors in various weather conditions.

## **POLICE CAPTAIN**

**F.L.S.A.  
EXEMPT**

### **General Statement of Duties**

An employee in this class commands one of the department's three (3) divisions: Administrative, Patrol and Criminal Investigations.

### **Distinguishing Features of the Class**

An employee in this class works directly under the Police Major. Each Captain is given command authority over the employees under his or her command. The Captain is responsible for developing work strategies for their division in order to ensure Division goals and objectives are being met. The Police Captain is responsible for developing budget requests for the Division assigned. They are responsible for maintaining proper personnel staffing and will deal with personnel issues specific to their assigned Division. The Captains work performance is evaluated by the Major through observation, discussions, and by review of records and reports.

### **Illustrative Examples of Work**

- Monitors work assignments of subordinate officers.
- Maintains proper personnel levels within the assigned division
- Handles work performance issues within the division.
- Responsible for assisting in the developing departmental objectives.
- Develop, prepare and execute division budget for Police Chief.
- Oversees preparation of time records for assigned employees.
- Identifies training needs and seeks training to address those needs.
- Promotes citizen understanding and support of law enforcement and crime prevention programs.
- Conducts background investigations upon request by the Chief of Police.
- Review monthly activity sheets from all division employees.
- Be on-call for all major incidents
- Meet on a regular basis with the Police Major concerning division activities.
- Develops and utilizes meaningful communications with departmental personnel and is responsible for effective and courteous interpersonal relationships with members of the department and the public.
- Supports and implements programs and activities approved by the Chief of Police.
- Responsible for ensuring that routine performance of division personnel follows established policies, procedures and rules and additionally ensures that performance of division personnel meets or exceeds departmental standards.
- Makes necessary public presentations on the behalf of the department when assigned to do so.
- Handles citizen complaints within and outside their assigned division.

### **Knowledge, Skills and Abilities**

Thorough knowledge of federal, state, and local laws relating to crime detection and prevention, search and seizure, criminal investigation and related police activities;  
Thorough knowledge of the organization of the Police Department and of related cooperating law enforcement agencies;  
Thorough knowledge of criminal identification practices, including fingerprinting and photography, filing systems and classification systems;  
Thorough knowledge of property and evidence control procedures;  
Thorough knowledge of training and certification requirements;  
Comprehensive knowledge of city ordinances relating to traffic control, law enforcement in residential and business areas, and operating requirements for taxis and other businesses within the city;  
Knowledge of the organization and functions of the city government;  
Ability to train, supervise and evaluate the work of others;  
Considerable knowledge of the geographic and street system of the city;  
Considerable knowledge of police communications procedures;  
Skill in the use of firearms and other police equipment;  
Ability to exercise sound judgment in routine and emergency situations;

Ability to train and supervise others;  
Thorough knowledge of the methods and practices of budget preparation;  
Thorough knowledge of the internal affairs process for complaints against officers;  
Ability to prepare accurate records and reports and maintain record keeping systems;  
Knowledge of the English language and the ability to effectively utilize speaking skills in conducting speeches and oral interviews;  
Ability to establish and maintain effective working relationships with the general public, other public safety personnel, and other city employees.

### **Minimum Experience and Training**

Must have served as a Sergeant for three (3) years.  
Possess an Associate of Arts Degree or higher.  
Successfully complete all phases of an assessment center for Police Captain.  
Have not received any disciplinary action involving loss of pay for one year, or loss of rank for three years.  
Have successfully completed the Administrative Officers Management Program or a course similar in content approved by the Chief of Police.

### **Special Requirements**

Must possess a valid driver's license issued by the State of North Carolina.  
Must live within thirty (30) minutes distance from the Asheboro Police Department.  
Must adhere to the on-call practices and procedures followed by the Asheboro Police Department.

### **Physical Requirements**

May occasionally work outdoors in various weather conditions.

## **MASTER POLICE LIEUTENANT**

**F.L.S.A.  
EXEMPT**

### **General Statement of Duties**

Performs administrative and supervisory work in the operation of the Police Department and is in charge of an assigned unit/team.

### **Distinguishing Features of the Class**

An employee in this class is responsible for the supervision, including discipline, of all subordinate officers on an assigned unit/team, as well as cooperative activity relating to overall law enforcement operations of the department. An employee in this class is responsible for the materials and equipment used by subordinates. The incumbent must exercise initiative and apply knowledge gained through experience in making assignments and in coordinating the activities of personnel assigned to his shift. Responsibility in this position is extended to include the establishing and maintaining of a high level of morale and effective working relationships among subordinates. The incumbent also must participate in maintaining good relations with the general public in a variety of public contact situations. An employee in this class usually exercises general supervision over subordinates, but frequently must supervise directly the activities of less experienced officers in certain emergency situations. The incumbent evaluates the work of subordinates through observation and by review of individual activity reports. Conferences are held periodically for the purpose of discussing specific problems and unusual work situations. An employee in this class works under the general supervision of the Captain over the Division to which they are assigned, who evaluates the incumbent's work in conferences and by review of reports and records. This Lieutenant can be assigned to various positions within the agency such as: Patrol Lieutenant, Criminal Investigation Lieutenant and Special Operations Lieutenant.

### **Illustrative Examples of Work**

- Reviews specific work assignments with subordinate officers at beginning of shift, makes assignments, inspects personnel to assure adherence to department personnel appearance standards;
- Evaluates subordinates through observation and review of daily activity reports;
- Disciplines subordinates and takes necessary corrective action;
- Counsels subordinates on work performance;
- Assists, when appropriate, in any emergency or occurrence of a serious or unusual nature;
- Coordinates work activities and special assignments with the overall law enforcement operations of the city;
- Prepares, reviews and maintains records and activity reports;
- Promotes citizen understanding and support of law enforcement and crime prevention programs;

- Performs related work as required.

### **Knowledge, Skills and Abilities**

Thorough knowledge of federal and state laws relating to crime detection and prevention, search and seizure, criminal investigation and related police activities, and of modern methods and practices;  
Thorough knowledge of the organization of the Police Department and of related cooperating law enforcement agencies;  
Thorough knowledge of criminal identification practices, including fingerprinting and photography, filing systems and classification systems;  
Thorough knowledge of property and evidence control procedures;  
Thorough knowledge of training and certification requirements;  
Comprehensive knowledge of the arrangement of city streets and of the locations and characteristics of the various neighborhoods;  
Comprehensive knowledge of city ordinances relating to traffic control, law enforcement in residential and business areas, and operating requirements for taxis and other businesses within the city;  
Knowledge of the organization and functions of the city government;  
Skill in the use of firearms and other police equipment;  
Ability to train, supervise and evaluate the work of others;  
Ability to exercise sound judgment in routine and emergency situations;  
Ability to deal firmly and tactfully with the public;  
Ability to observe and remember details of crime scenes and to relate details accurately when presenting court testimony;  
Ability to prepare accurate reports and records;  
Ability to establish and maintain effective working relationship with the public, other law enforcement agencies, subordinates and other city employees.

### **Minimum Experience and Training**

Must have been a Lieutenant with the Asheboro Police Department for at least three years.  
Must have graduated from a recognized advanced management training program approved by the Chief of Police.

### **Special Requirements**

Must possess a valid driver's license issued by the State of North Carolina.  
Must live within thirty (30) minutes distance from the Asheboro Police Department.  
Incumbent will be required to adhere to the on-call practices and procedures followed by the Asheboro Police Department.

### **Physical Requirements**

May occasionally work outdoors in various weather conditions.

## **POLICE LIEUTENANT**

**F.L.S.A.  
EXEMPT**

### **General Statement of Duties**

Performs administrative and supervisory work in the operation of the Police Department and is in charge of an assigned unit/team.

### **Distinguishing Features of the Class**

An employee in this class is responsible for the supervision, including discipline, of all subordinate officers on an assigned unit/team, as well as cooperative activity relating to overall law enforcement operations of the department. An employee in this class is responsible for the materials and equipment used by subordinates. The incumbent must exercise initiative and apply knowledge gained through experience in making assignments and in coordinating the activities of personnel assigned to his/her assigned unit/team. Responsibility in this position is extended to include the establishing and maintaining of a high level of morale and effective working relationships among subordinates. The incumbent also must participate in maintaining good relations with the general public in a variety of public contact situations. An employee in this class usually exercises general supervision over subordinates, but frequently must supervise directly the activities of less experienced officers in certain emergency situations. The incumbent evaluates the work of subordinates through observation and by review of individual activity reports. Conferences are held periodically for the purpose of discussing specific problems and unusual work situations. An employee in this class works under the general supervision of a Captain, who evaluates the incumbent's work in conferences and by review of reports and records. This Lieutenant can be assigned to various positions within the agency such as: Patrol Lieutenant, Criminal Investigations Lieutenant, and Special Operations Lieutenant.

### **Illustrative Examples of Work**

- Reviews specific work assignments with subordinate officers at beginning of shift, makes assignments, inspects personnel to assure adherence to department personnel appearance standards;
- Evaluates subordinates through observation and review of daily activity reports;
- Disciplines subordinates and takes necessary corrective action;
- Counsels subordinates on work performance;
- Assists, when appropriate, in any emergency or occurrence of a serious or unusual nature;
- Coordinates work activities and special assignments with the overall law enforcement operations of the city;
- Prepares, reviews and maintains records and activity reports;
- Promotes citizen understanding and support of law enforcement and crime prevention programs;
- Performs related work as required.

### **Knowledge, Skills and Abilities**

Thorough knowledge of federal and state laws relating to crime detection and prevention, search and seizure, criminal investigation and related police activities, and of modern methods and practices;  
Thorough knowledge of the organization of the Police Department and of related cooperating law enforcement agencies;  
Thorough knowledge of criminal identification practices, including fingerprinting and photography, filing systems and classification systems;  
Thorough knowledge of property and evidence control procedures;  
Thorough knowledge of training and certification requirements;  
Comprehensive knowledge of the arrangement of city streets and of the locations and characteristics of the various neighborhoods;  
Comprehensive knowledge of city ordinances relating to traffic control, law enforcement in residential and business areas, and operating requirements for taxis and other businesses within the city;  
Knowledge of the organization and functions of the city government;  
Skill in the use of firearms and other police equipment;  
Ability to train, supervise and evaluate the work of others;  
Ability to exercise sound judgment in routine and emergency situations;  
Ability to deal firmly and tactfully with the public;  
Ability to observe and remember details of crime scenes and to relate details accurately when presenting court testimony;  
Ability to prepare accurate reports and records;  
Ability to establish and maintain effective working relationship with the public, other law enforcement agencies, subordinates and other city employees.

### **Minimum Experience and Training**

Must have served as a Sergeant for three (3) years;  
Must Successfully complete all phases of an assessment center for Police Lieutenant;  
Have not received any disciplinary action involving loss of pay for one year or loss of rank for three years;  
Must possess the Advanced Certificate from the North Carolina Criminal Justice Education and Training Standards Commission.

### **Special Requirements**

Must possess a valid driver's license issued by the State of North Carolina.  
Must live within thirty (30) minutes distance from the Asheboro Police Department.  
Incumbent will be required to adhere to the on-call practices and procedures followed by the Asheboro Police Department.

### **Physical Requirements**

May occasionally work outdoors in various weather conditions.

## **POLICE SERGEANT**

**F.L.S.A.  
NON-EXEMPT**

### **General Statement of Duties**

The Police Sergeant may be assigned to various job assignments such as: Patrol Sergeant, Traffic Sergeant, Special Services Sergeant, Vice and Narcotics Sergeant, Street Crimes Sergeant and Criminal Investigation Sergeant.

### **Distinguishing Features of the Class**

An employee holding the rank of Sergeant may perform patrol duties, traffic accident investigation, traffic control, in preventing and detecting criminal activity, investigating criminal acts, apprehend suspects, present evidence and provide testimony in various levels of court, assist in the training of officers in their work, oversee the care and maintenance of police equipment, and executing special assignments. The Police Sergeant is responsible for assisting in supervising subordinates during an assigned shift. Tact and firmness are required in public contact. Independent judgment and initiative must be exercised. Work is performed in accordance with established policies and procedures. The Police Sergeant is subject to the usual hazards of the various types of police work. The Police Sergeant's work is performed under the general supervision of a commanding officer and is evaluated by observation, in discussions, and by review of records and reports.

### **Illustrative Examples of Work**

Assists Unit/Team Commander in supervising officers on his shift. Participates in training inexperienced police officers in basic law enforcement procedures and principles, including the application of basic ordinance, and statutes governing law enforcement;

- Patrols streets to observe buildings and persons, observes activities in residential areas and makes arrests;
- Issues citations for violations, traffic and parking regulations;
- Investigates accidents, complaints, and crimes;
- Gathers and preserves evidence;
- Presents testimony and evidence in court;
- Secures warrants;
- Serves warrants and other legal papers;
- Regulates and directs vehicular and pedestrian traffic at public events and accident scenes;
- Escorts funerals;
- Maintains orders at public gatherings;
- Advises less experienced police officers in filing reports, court procedures, and other matters;
- Attends specialized and advanced training courses and ensures subordinates are involved in a continuing education program in police science and related areas;
- Works with community and schools in teaching principles of crime prevention and drug education;
- May operate radar equipment, D.C.I. terminal and breath testing equipment;
- Prepares related records and reports;
- Performs related work as required.

### **Knowledge, Skills and Abilities**

Thorough knowledge of federal and state laws relating to criminal investigation, search and seizure and related police activity;

Thorough knowledge of the layout of city streets;

Thorough knowledge of the organization of the Police Department and of related cooperating law enforcement agencies;

Skill in the use of firearms and manual methods of self- defense;

Ability to observe and remember details of crime scenes and to relate details accurately when presenting testimony in court;

Ability to supervise other officers in the absence of a superior;

Ability to prepare accurate written reports of investigations and of daily activities;

Ability to meet and deal courteously and tactfully with the general public;

Ability to establish and maintain effective working relationships with other employees.

### **Minimum Experience and Training**

Must have served as a Master Police Officer.

Must successfully complete all phases of an Assessment Center for Police Sergeant.

Must not have received any disciplinary action involving loss of pay for one year and loss of rank for three years.

Possess the Intermediate Law Enforcement Certification from the North Carolina Criminal Justice Education and Training Standards Commission.

### **Special Requirements**

Possess a valid motor vehicle operator's license issued by the State of North Carolina.

Must live within thirty (30) minutes distance from the Asheboro Police Department.

Incumbent will be required to adhere to the on-call practices and procedures followed by the Asheboro Police Department.

### **Physical Requirements**

May occasionally work outdoors in various weather conditions.

## MASTER POLICE OFFICER

F.L.S.A.  
NON-EXEMPT

### **General Statement of Duties**

Performs general duty law enforcement work in the city's Police Department.

### **Distinguishing Features of the Class**

An employee in this class is engaged in patrol and traffic control duties, in preventing, detecting, and investigating crimes, in apprehending suspects and criminals, and in presenting testimony and evidence in court. Tact and firmness are required in public contact. Independent judgment and initiative must be exercised. Work is performed in accordance with established policies and procedures, with added instructions in specific assignments. The employee is subject to the usual hazards of police work. Work is performed under general supervision and is evaluated by observation, in discussions, and by review of records and reports.

### **Illustrative Examples of Work**

- Patrols streets to observe buildings and persons, observes activities in residential areas;
- Issues citations and makes arrests;
- Investigates accidents, complaints, and crimes;
- Gathers and preserves evidence;
- Presents testimony and evidence in court;
- Secures warrants;
- Serves warrants and other legal papers;
- Apprehends suspects and criminals;
- Transports prisoners to place of incarceration;
- Regulates and directs vehicular and pedestrian traffic at public events and accident scenes;
- Escorts funerals;
- Maintains order at public gatherings;
- Issue citations for violation of traffic and parking regulations;
- Develops patrol procedures and monitors compliance;
- Assists in advising less experienced police officers in investigations and other matters;
- Attends specialized and advanced training courses;
- Provides information and advice to the public;
- May operate radar equipment, D.C.I. terminal and may breath testing equipment;
- Prepares records and reports of activities;
- Performs related work as required.

### **Knowledge, Skills and Abilities**

Considerable knowledge of modern law enforcement practices and procedures;  
Considerable knowledge of federal, state, and local laws affecting law enforcement;  
Considerable knowledge of the geography and street system of the city;  
Considerable knowledge of police communications, practices and procedures;  
Skill in the use of firearms and other police equipment;  
Ability to exercise sound judgment in routine and emergency situations;  
Ability to deal tactfully and firmly with the public;  
Ability to maintain cooperative and effective public relations;  
Ability to prepare accurate records and reports;  
Ability to establish and maintain effective working relationships with the general public, other public safety personnel and other city employees.

### **Minimum Experience and Training**

Must have served as a Police Officer II for three (3) years or more.  
Must successfully complete a written examination for Master Police Officer.  
Must have not received any disciplinary action involving loss of pay for one year, or loss of rank for two years.

### **Special Requirements**

Must possess a valid North Carolina driver's license and have a safe driving record.  
Must live within no more than thirty (30) minutes distance from the Police Department.  
Incumbent will be required to adhere to the "on-call" practices and procedures followed by the Police Department.

### **Physical Requirements**

May occasionally work outdoors in various weather conditions.

## **POLICE OFFICER II**

**F.L.S.A.  
NON-EXEMPT**

### **General Statement of Duties**

Performs general duty law enforcement work in the city's Police Department.

### **Distinguishing Features of the Class**

An employee in this class is engaged in patrol and traffic control duties, in preventing, detecting, and investigating crimes, in apprehending suspects and criminals, and in presenting testimony and evidence in court. Tact and firmness are required in public contact. Independent judgment and initiative must be exercised. Work is performed in accordance with established policies and procedures, with added instructions in specific assignments. The employee is subject to the usual hazards of police work. Work is performed under general supervision and is evaluated by observation, in discussions, and by review of records and reports.

### **Illustrative Examples of Work**

- Patrols streets to observe buildings and persons, observes activities in residential areas;
- Issues citations and makes arrests;
- Investigates accidents, complaints, and crimes;
- Gathers and preserves evidence;
- Presents testimony and evidence in court;
- Secures warrants;
- Serves warrants and other legal papers;
- Apprehends suspects and criminals;
- Transports prisoners to place of incarceration;
- Regulates and directs vehicular and pedestrian traffic at public events and accident scenes;
- Escorts funerals;
- Maintains order at public gatherings;
- Issue citations for violation of traffic and parking regulations;
- Develops patrol procedures and monitors compliance;
- Assists in advising less experienced police officers in investigations and other matters;
- Attends specialized and advanced training courses;
- Provides information and advice to the public;
- May operate radar equipment, D.C.I. terminal and may breath testing equipment;
- Prepares records and reports of activities;
- Performs related work as required.

### **Knowledge, Skills and Abilities**

Considerable knowledge of modern law enforcement practices and procedures;  
Considerable knowledge of federal, state, and local laws affecting law enforcement;  
Considerable knowledge of the geography and street system of the city;  
Considerable knowledge of police communications, practices and procedures;  
Skill in the use of firearms and other police equipment;  
Ability to exercise sound judgment in routine and emergency situations;  
Ability to deal tactfully and firmly with the public;  
Ability to maintain cooperative and effective public relations;  
Ability to prepare accurate records and reports;  
Ability to establish and maintain effective working relationships with the general public, other public safety personnel and other city employees.

### **Minimum Experience and Training**

Employee must have served as a Police Officer I for (3) three or more years.  
Successfully completed a written examination for Police Officer II.  
Not have received any disciplinary action involving loss of pay for six months, or loss of rank for one year.

### **Special Requirements**

Must possess a valid North Carolina driver's license and have a safe driving record.  
Must live within no more than thirty (30) minutes distance from the Police Department.  
Incumbent will be required to adhere to the "on-call" practices and procedures followed by the Police Department.

### **Physical Requirements**

May occasionally work outdoors in various weather conditions.

## **POLICE OFFICER I**

**F.L.S.A.  
NON-EXEMPT**

### **General Statement of Duties**

Performs general duty law enforcement work in the City's Police Department.

### **Distinguishing Features of the Class**

An employee in this class is engaged in patrol and traffic control duties in preventing, detecting and investigating crimes, in apprehending suspects and criminals, presenting evidence and testimony in court, receiving complaints and requests for service, preparing simple records and reports, and performing routine clerical work. Tact and firmness are required in frequent public contact. Independent judgment and initiative must be exercised. Work is performed in accordance with established policies and procedures, supplemented by specific assignments and instructions. The employee is subject to the usual hazards of police work. Work is performed under general supervision and is evaluated by review of records and reports, in discussions and by observation.

### **Illustrative Examples of Work**

- Patrols streets; checks business establishments; observes activities in residential areas; issues citations and makes arrests;
- Investigates accidents, complaints and crimes; gathers and preserves evidence;
- Presents evidence and testimony in court;
- Serves warrants and other legal papers;
- Apprehends suspects and criminals;
- Transports prisoners to place of incarceration;
- Regulates and directs vehicular and pedestrian traffic at school crossings and accident scenes;
- Escorts funerals;
- Maintains order at public gatherings;
- Issues citations for violations of traffic and parking regulations;
- Cooperates with the Fire Department and other emergency personnel;
- Attends training courses offered by the department or other special schools;
- Provides information and advice to the public;
- May operate radar equipment, D.C.I. terminal and breath testing equipment.
- Prepares records and reports of activities;
- Performs related work as required.

### **Knowledge, Skills and Abilities**

Knowledge of federal, state, and local laws pertaining to law enforcement;  
Knowledge of modern law enforcement practices and procedures;  
Knowledge of the geography and street system of the city;  
Knowledge of police communications practices and procedures;  
Skill in the use of firearms and other police equipment;  
Ability to exercise sound judgment in routine and emergency situations;  
Ability to prepare accurate records and reports;  
Ability to maintain cooperative and effective public relations;  
Ability to deal tactfully and firmly with the public;  
Ability to establish and maintain effective working relationships with the general public, other public safety personnel and other city employees.

### **Minimum Experience and Training**

All officers entering the Asheboro Police Department must meet the basic requirements as set forth by the North Carolina Criminal Justice Education and Training Standards Commission.  
Candidates must be 21 years of age at the time of completion of their probationary period.  
Candidates must have a high school diploma or G.E.D.  
Candidates must successfully complete an oral review board, background investigation, a psychological examination, a physical examination and a drug screen.  
Candidates must possess a valid North Carolina Driver's License.  
Candidates must live within thirty (30) minutes from the Police Department.

### **Special Requirements**

All officers, regardless of the number of years experience will be required to enter the Asheboro Police Department as a Police Officer I for one full year. Prior experience with another agency will be assessed

and qualified by the Chief of Police on a case-by-case basis after this requirement is met.

### **Physical Requirements**

May occasionally work outdoors in various weather conditions.

## **PROPERTY/EVIDENCE TECHNICIAN**

**F.L.S.A.  
NON-EXEMPT**

### **General Statement of Duties**

A non-sworn position assigned to the Special Services Division. This Property/Evidence Technician is responsible for the custodial control and maintenance of security over physical evidence and other property coming into the department's possession.

### **Distinguishing Features of the Class**

This position involves technical work and the receipt, processing, safekeeping and disposition of evidence and found property items in the custody and control of the police department. Work involves the responsibility for maintaining procedures to ensure the integrity of the chain of evidence and found property items. Work is performed at the direction and supervision of the Police Major. This position assumes full authority for the property/evidence operation. The employee in this class must develop thorough knowledge of departmental policies and procedures, as well as the legal aspects of evidence/property handling. This position requires work to be performed with relative independence. The job requires interaction with all levels of the department, coordination with other segments of the criminal justice system and dealing directly with the citizenry. This position requires the indexing and maintenance of files in the property/evidence section. It also requires the answering of telephone calls and computer skills.

### **Illustrative Examples of Work**

- Receives, processes, safeguards and inventories evidence and found property items in the custody and control of the police department;
- Maintains procedures to ensure the integrity of the chain of evidence and found property items;
- Upon absence of the Evidence Control Supervisor, assumes full authority for the property/evidence operations;
- Interacts with all levels of the department, coordinates with other segments of the criminal justice system and deals directly with the citizenry;
- Indexes and maintains files in the property/evidence section;
- Operates a computer by entering, withdrawing and modifying information as needed;
- Gives testimony in court;
- Processes requests and inquiries by phone and in person;
- Performs related work as assigned.

### **Knowledge, Skills and Abilities**

Ability to operate a computer by entering, withdrawing and modifying information as needed;  
Ability to give effective testimony in a court of law;  
Ability to process requests and inquiries by phone and in person;  
Working knowledge of city, state and federal laws governing evidence and found property;  
General ability to understand and follow oral and written instructions;  
Ability to effectively communicate orally and in writing;  
Ability to establish and maintain effective working relationships with the general public, department personnel and other city employees.

### **Minimum Experience and Training**

Graduation from an accredited high school or have attained a G.E.D.  
A two-year degree is desired, but not required.  
Knowledge and ability to operate or be trained to operate, a computer terminal as required.  
Prior experience in warehouse operations is preferred, but not required.

### **Special Requirements**

Must possess a valid driver's license issued by the State of North Carolina.  
Must live within 30 minutes distance from the Asheboro Police Department.  
Must adhere to on-call practices and procedures followed by the Asheboro Police Department.

### **Physical Requirements**

Will work indoors the majority of the time but may occasionally work outdoors. Lifting will be required.

## **ANIMAL CONTROL OFFICER**

**F.L.S.A.  
NON-EXEMPT**

### **General Statement of Duties**

Performs specialized work in the enforcement of ordinances and statutes related to the control of animals in the city.

### **Distinguishing Features of the Class**

An employee in this class receives and responds to citizen requests for service and captures, confines, and if necessary, exterminates unleashed, diseased, or bothersome animals. Tact and courtesy are required in sensitive public contact situations in explaining animal control laws to animal owners. Work is performed in accordance with city and state laws governing animal control and requires some independent judgment and initiative in application of the laws. Employee is subject to the usual hazards of animal control work. Work is performed under the general supervision of the Police Major in accordance with state and city regulations.

### **Illustrative Examples of Work**

- Receives calls and complaints concerning unleashed or bothersome animals; investigates calls and complaints;
- Patrols city to locate unvaccinated or troublesome unleashed animals; captures animals through physical skill or use of pepper spray.
- Destroys vicious, diseased, and unclaimed animals with firearms or toxic chemicals;
- Issues warnings of possible ordinance violations to owners of unvaccinated or troublesome animals;
- Testifies in court against animal owners who have ignored warnings about possible ordinance violations;
- Takes injured animals or animals in violation of city ordinances to the local holding facilities;
- Performs reports of program activities;
- Sets traps and brings trapped animals to other locales;
- Performs related work as assigned.

### **Knowledge, Skills and Abilities**

Considerable knowledge of city geography;  
Working knowledge of laws and ordinances related to humane animal control;  
Working knowledge of humane animal collection, care and disposal methods;  
Skill in the use of physical means; firearms, pepper spray, and toxic chemicals for the purpose of capturing and destroying animals;  
Ability to prepare clear and concise reports;  
Ability to establish and maintain effective working relationships with the general public, department personnel and other city employees.

### **Minimum Experience and Training**

Graduation from an accredited high school or have attained a G.E.D.  
Employee should be proficient in the use of a shotgun and rifle.

### **Special Requirement**

Must possess a valid North Carolina driver's license and have a safe driving record.  
Must qualify annually on the use of a shotgun and the use of pepper spray.  
Incumbent will be required to adhere to the "on-call" practices and procedures followed by the Police Department.

### **Physical Requirements**

Must be able to lift and carry 75 to 100 pounds. Must be able to climb, crawl, stretch, and kneel. Handles carbon monoxide. Works outdoors in varying weather conditions.

## RECORDS CLERK II

F.L.S.A.  
NON-EXEMPT

### General Statement of Duties

Oversees the performance of specialized clerical work maintaining a variety of records in the Police Department.

### Distinguishing Features of the Class

An employee in this class maintains records and files, and performs clerical work for the Police Department. Work involves maintaining filing systems for records such as criminal history, officer activity, parking violations, accidents, and stolen property; the employee also may collect violations money, record trial disposition, and type correspondence and reports. Judgment must be exercised in interpreting and applying office policies and regulations to specific work situations. Tact and courtesy are required in various public contact situations. Work is performed under general supervision of the C.I.D. Captain and is evaluated through observation, discussion, and by review of records and reports.

### Illustrative Examples of Work

- Maintains a filing system of criminal records and assumes responsibility for its accuracy and completeness;
- Relays information over base radio unit to employees performing field work;
- Types arrest reports and prepares warrants;
- Maintains departmental filing system of arrests, suspects, accident reports, missing persons, and criminal history data;
- Records case disposition in criminal history files;
- Collects money for dog and parking violations; maintains records of monies collected;
- Performs related work as required
- Coordinate CIIS Audits and works as a liaison with the SBI/DCI Division.
- Maintains the equipment assigned to the Records Division

### Knowledge, Skills and Abilities

Thorough knowledge of the preparation of reports and maintenance of records and files;  
Comprehensive knowledge of law enforcement record keeping requirements;  
Knowledge of modern office procedures;  
Ability to prepare and maintain moderately complex records and reports;  
Ability to work consistently in spite of the pressure of frequent interruptions;  
Ability to type accurately at a moderate rate of speed and to operate a computer terminal and common office equipment;  
Ability to establish and maintain effective working relationships with the general public, department personnel and other city employees.

### Minimum Experience and Training

Graduation from an accredited high school or have attained a G.E.D.  
Experience working with the public or an equivalent combination of experience and training.  
Must have worked as a Records Clerk I for three (3) years.

### Physical Requirements

Must be able to lift 5 to 10 pounds. Work will take place mainly in a climate-controlled office setting.

- (i) **A Funds Transfer Authorization and Agreement for Community One Bank**  
[Agenda Item 4(l)]

[A copy of the Funds Transfer Authorization and Agreement is on file in the City Clerk's office.]

- (j) **A resolution for requests for state aid to the Asheboro Regional Airport in the aviation element of the transportation improvement program, as recommended by the Asheboro Airport Authority meeting on October 16, 2007.** [Agenda Item 4(m)]



meantime, the Planning Department Staff will research the possibility in changing the designation of Southmont Drive from that of a minor thoroughfare in order to address the specific concerns raised by Mr. Markham.

(b) SUB-01-02: Heathwood Acres Phase III. Final Plat Approval.

Mr. Neely presented the final plat for the proposed Heathwood Acres Phase III Subdivision. James Worth Heath requests final plat approval for Heathwood Acres Phase III. The property is located on Old Castle Drive and contains approximately 16.873 acres of land, consisting of 34 lots.

All departments have reviewed the plat, and all requirements are complete. The Planning Department Staff and the Planning Board recommended approval of the final plat.

Upon motion by Mr. Smith and seconded by Mr. Priest, Council accepted the recommendation of the Planning Board and approved the final plat.

(The aforementioned final plat is on file in the City Clerk's office.)

**6. Consideration of an ordinance authorizing stop signs to be installed on recently completed streets in the Heathwood Acres Phase I and Phase II Subdivision:**

- Stop traffic on Butterfly Trail entering Old Castle Drive
- Stop traffic on Buckhorn Drive (east and west connections) entering Old Castle Drive.

Mr. Bunker presented and recommended adoption, by reference, of the aforementioned ordinance.

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

**50 ORD 11-07**

**AN ORDINANCE AUTHORIZING STOP SIGNS TO BE INSTALLED TO  
STOP TRAFFIC ON RECENTLY COMPLETED STREETS IN THE  
HEATHWOOD ACRES PHASE 2 AND PHASE 3 SUBDIVISION  
BY THE CITY COUNCIL  
CITY OF ASHEBORO, NORTH CAROLINA**

**BE IT ORDAINED** by the City Council of the City of Asheboro:

Pursuant to Chapter 70, Section 70.29 of the Code of the City of Asheboro, the City Manager is hereby ordered to cause the installation of stop signs as described below on streets that lie within the corporate boundaries of the City of Asheboro:

- Stop traffic on Butterfly Trail entering Old Castle Drive
- Stop traffic on Buckhorn Drive (east and west connections) entering Old Castle Drive

Adopted in Regular Meeting held on November 8, 2007.

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

ATTEST:

s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

**NEW BUSINESS**

**7. Land Use Issues.**

- (a) SUP-07-11: Request for a Special Use Permit for a Church in a Residential (R-10/R-40) Zoning District. The property of Craig Hamlet is located on the north side of Hub Morris Road approximately 600 feet north of Bonkemeyer Drive and consists of approximately 44.17 acres of land. Randolph County Parcel Identification Number 7763544550 more specifically describes the property.

Mayor Jarrell opened the public hearing on the following request.

Mr. Neely affirmed his testimony and presented a written request from the Applicant to continue the above-referenced item to the Council's regular December meeting.

Upon motion by Mr. Smith and seconded by Ms. Carter, Council voted unanimously to continue the above-reference item to the Council's regular December meeting.

- (b) RZ-07-32: Request to rezone from R-10/B-2 (Medium Density Residential and General Business) to O&I (Office and Institutional). The properties of L.L. Hinshaw Heirs and S. Francis are located on the southern side of East Balfour Avenue approximately 250 feet east of North Fayetteville Street and consists of approximately 1.93 acres of land. Randolph County Parcel Identification Numbers 7762067993, 7762077052, and 7762068953 more specifically describe the properties.

Mayor Jarrell opened the public hearing on the following request.

Mr. Neely presented the staff's analysis of the request by Piedmont Triad Ambulance and Rescue to rezone the above-described property from R-10/B-2 (Medium Density Residential and General Business) to O&I (Office and Institutional). The Planning Department Staff and the Planning Board recommended approval of the request based on the following:

"Although the land development plan's proposed land use map identifies these properties as neighborhood residential, the requested zoning district of Office and Institutional is less intensive than the commercial land use west of the property on North Fayetteville Street and the residential uses to the east. The area is also characterized by a mix of land uses, including a school directly across East Balfour Avenue from the subject property and church use to the south of the property. Considering the request within the context of land uses in the area, staff believes the request is consistent with the text of the land development plan, and therefore generally within the public interest in encouraging a reasonable use of the property."

Ms. Paula Lineberry, Chief of Piedmont Triad Ambulance and Rescue presented comments in support of the request. Additionally, Mr. Lewis Schirloff, Deputy Director of Randolph County Emergency Medical Services, presented comments in support of the requested rezoning.

There being no further comments nor opposition from the public, Mayor Jarrell closed the public hearing.

Upon motion by Mr. Baker and seconded by Mr. Crisco, Council voted unanimously to adopt the recommendation of the Planning Board and placed the above-described property in an O&I Office and Institutional zoning district.

- (c) RZ-07-33: Request to rezone from R-10/B-2 (Medium-Density Residential and General Business) to R-10 (Medium-Density Residential). The property of Ruth Hinshaw is located at 2138 North Fayetteville Street consisting of approximately 8.628 acres of land. (a portion?) Randolph County Parcel Identification Number 7763122694 more specifically describes the property.

Mayor Jarrell opened the public hearing on the following request.

Mr. Neely presented the staff's analysis of the request by Ms. Golda "Ruth" Hinshaw Wilson to rezone a portion of the above-described property from R-10/B-2 Medium-Density Residential and General Business to R-10 Medium-Density Residential. The Planning Department Staff and the Planning Board recommended approval of the request based on the following:

"The land development plan map indicates that a small portion of this property along North Fayetteville Street is commercial. However, the intent of the land development plan as indicated by the text is to accommodate existing strip commercial development and limit the expansion of strip commercial development. Commercial development serving surrounding high-density residential land uses is accommodated by the land development plan in this area and by the current commercial zoning of parcels in the vicinity. Therefore, rezoning the portion of the property that is currently zoned B-2 to R-10 complies with the text and goals of the land development plan and is generally within the public interest in encouraging a reasonable use of property."

The son-in-law of the applicant presented comments in support of the requested rezoning.

There being no further comments nor opposition from the public, Mayor Jarrell closed the public hearing.

Upon motion by Ms. Carter and seconded by Ms. Hunter, Council voted unanimously to adopt the recommendation of the Planning Board and placed the above-described property in a R-10 Medium-Density Residential zoning district.

- (d) RZ-07-34: Request to rezone from CU-B1 (Conditional Use Neighborhood Business to R-40 (Low-Density Residential). The property of Bible Truth Baptist Church is located on the east side of Gold Hill Road approximately 1,200 feet north of the intersection of Randolph Tabernacle Road, and consists of approximately 23.191 acres of land (this request includes 14.52 of the total 23.191 acres of land). Randolph County Parcel Identification Number 7762847222 more specifically identifies the property.

Mayor Jarrell opened the public hearing on the following request.

Mr. Neely presented the staff's analysis of the request by Bible Truth Baptist Church to rezone the above-described property from CU-B1 Conditional Use Neighborhood Business to R-40 Low-Density Residential. The Planning Department Staff recommended denial of the request, while the Planning Board recommended approval of the request in that the requested rezoning is consistent with the land use patterns in the area.

Mr. Jeff Harmon, Pastor of Bible Truth Baptist Church presented comments in support of the request. Additionally, Mr. Jason Greg, a member of Bible Truth Baptist Church presented comments in support of the requested rezoning.

There being no further comments nor opposition from the public, Mayor Jarrell closed the public hearing.

Upon motion by Mr. Smith and seconded by Ms. Hunter, Council voted unanimously to adopt the recommendation of the Planning Board and placed the above-described property in a R-40 Low-Density Residential zoning district.

## **8. Annexation Items:**

### **(a) Mayor's report on Dave's Mountain/Cedar Creek Annexation.**

During the city's strategic planning process, certain areas were identified as potential areas of annexation, specifically including, but not limited to the Dave's Mountain and Cedar Creek areas.

Mayor Jarrell reported that the city has received a preliminary project cost estimate and a proposed project schedule from The Wooten Company for the proposed annexation of the Dave's Mountain and Cedar Creek areas. When completed, the city will receive and make available for public inspection the Preliminary Engineering Report that is to be prepared by The Wooten Company. The city has currently approved approximately \$1,075,900 for the project and appropriated this approved amount as follows:

Annexation Boundary Survey	\$110,000
Survey/Engineering Design Plans and Bid Documents	\$427,000
Geotechnical Investigation & Quality Control	\$100,000
Construction Administration	\$75,000
Easement Survey and Mapping	\$71,500
Legal Services	\$62,400
Easement Acquisition	\$230,000

The overall budget for this annexation project is approximately \$8.7 million.

When anticipated costs and revenues associated with this annexation project are analyzed, the most conservative payback period is approximately 16.11 years.

The city will hold an informational workshop for the Cedar Creek area on Monday, November 19, 2007 and for the Dave's Mountain area on Tuesday, November 20, 2007. These informational workshops will be held in the Sunset Theater at 7:00 p.m.

**With the consent of the Council, Mayor Jarrell moved the Public Comment Period to immediately follow his report on the proposed Dave's Mountain/Cedar Creek annexation.**

**Public Comment Period** [Agenda Item 10]

Ms. Gloria McClanahan presented a petition containing approximately 250 signatures of residents of the Dave's Mountain neighborhood opposing the proposed annexation. Additionally, Ms. McClanahan was concerned that the annexation would have a negative impact on the properties within the neighborhood.

Mr. Dick Paul and Mr. Ed Hyder expressed their concerns that forced annexation was undemocratic. Additionally, Mr. Hyder was concerned that the citizens have not been well informed in regards to the entire annexation process.

Mr. Chris Griffin and Mr. Bill Flannery also expressed comments and concerns opposing the proposed annexation, while Ms. Andrea Ashburn requested that one of the annexation workshops be rescheduled due to the Thanksgiving Holiday.

Ms. Jane Darwin raised procedural questions in regards to the resolution of intent to annex and the specific dates for the required public meeting and public hearing. Ms. Mary Dunn raised questions in regards to the receiving of bids for the sewer projects for the proposed annexation area.

Ms. Elizabeth Mitchell, a representative from United Way, addressed the Council in regards to the sign ordinance. Ms. Mitchell felt that the city should provide the public with more information regarding sign regulations.

**(b) Consideration of a petition received from the Jesse Tate Leonard Family Trust requesting contiguous annexation of 0.616 of an acre of land located along the west side of Brook Drive.**

(1) Mr. Bunker presented and recommended adoption, by reference of a resolution directing the city clerk to investigate a petition requesting contiguous annexation of 0.616 of an acre of land located along the west side of Brook Drive.

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

**55 RES 11-07**

**RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE AN ANNEXATION PETITION RECEIVED PURSUANT TO SECTION 160A-31 OF THE NORTH CAROLINA GENERAL STATUTES**

**(0.616 of an Acre of Land along the West Side of Brook Drive)**

**WHEREAS**, a petition requesting the annexation of approximately 0.616 of an acre of land located along the west side of Brook Drive has been received by the City Council of the City of Asheboro, North Carolina from the Jesse Tate Leonard Family Trust, which is the owner of the 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**, the City Council of the City of Asheboro has decided, in response to this petition, to proceed with 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 8<sup>th</sup> day of November, 2007.

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

ATTEST:

s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

**CERTIFICATE OF SUFFICIENCY**

**(0.616 of an Acre of Land along the West Side of Brook Drive)**

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

I, Holly H. Doerr, City Clerk for 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 on this the 8<sup>th</sup> day of November, 2007.

(SEAL)

s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

(2) As a consequence of the receipt of written certification from the 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. Priest, Council voted unanimously to adopt the following resolution by reference.

**56 RES 11-07**

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

**(0.616 of an Acre of Land along the West Side of Brook Drive)**

**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**, the City Clerk has issued to the City Council a certificate of sufficiency for this petition.

**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 6<sup>th</sup> day of December, 2007.

**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.

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

ATTEST:

s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

**EXHIBIT 1**

Asheboro Township, Randolph County, North Carolina:

BEGINNING at an existing iron pipe/pin found in the western margin of the 35-foot platted right-of-way for Brook Drive (North Carolina Secondary Road 2810) and located North 07 degrees 05 minutes 19

seconds East 175.04 feet from an existing iron pipe/pin found at the intersection of the western margin of the right-of-way for Brook Drive with the northern margin of the right-of-way for Foster Street (North Carolina Secondary Road 2932); thence from the said Beginning point North 84 degrees 55 minutes 12 seconds West 128.68 feet to a point not set in the existing primary corporate limits line for the City of Asheboro, this point can be located by means of the North Carolina Coordinate System at the coordinates of North 703,996.19 feet and East 1,757,962.15 feet (NAD 27); thence along the existing primary corporate limit line for the City of Asheboro the following course and distance: North 12 degrees 51 minutes 33 seconds East 228.20 feet to a point not set that can be located by means of the North Carolina Coordinate System at the coordinates of North 704,218.67 feet and East 1,758,012.94 feet (NAD 27); thence South 86 degrees 02 minutes 05 seconds East 107.98 feet to an existing iron pipe/pin found in the western margin of the right-of-way for Brook Drive; thence along the western margin of the right-of-way for Brook Drive the following course and distance: South 07 degrees 37 minutes 59 seconds West 228.43 feet to the point and place of the BEGINNING, and containing 0.616 acres of land, more or less, to be annexed.

This description is in accordance with a plat of survey entitled "Annexation Survey City Of Asheboro Plat Prepared For The Jesse Tate Leonard Family Trust" that was drawn under the supervision of Michael R. Stout, Professional Land Surveyor with Registration No. L-3492. This plat of survey is dated September 28, 2007 and is identified as Job No. 07-MARTENS-01-SV.

**(c) Receive report on East Presnell Street annexation and water sewer extension.**

Mr. Bunker reported that a petition to annex 134.01 acres of land located along Old Cedar Falls Road, Gold Hill Road, and East Presnell Street has been received. The proposed annexation area is needed for industrial development. The city has purchased materials for water and sewer lines for this area, specifically 3,200 feet of 8 inch water line along Old Cedar Falls Road and East Presnell Street and approximately 7, 100 of 8 inch sewer line along Old Cedar Falls Road. This project also requires a sewer pump station to be located along Old Cedar Falls Road, and Mr. Paul Trollinger has agreed to donate to the city a suitable lot for a sewer pump station.

**(d) Consideration of an ordinance to amend the water and sewer fund fiscal year 2007-2008.**

Ms. Juberg presented and recommended adoption, by reference, of the aforementioned ordinance.

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

**51 ORD 11-07**

**[The hard copy of the above-referenced ordinance is on file in the City Clerk's Office.]**

**(e) Consideration of an ordinance establishing East Presnell Street Project fiscal year 2007-2008.**

Ms. Juberg presented and recommended adoption, by reference, of the aforementioned ordinance.

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

**52 ORD 11-07**

**[The hard copy of the above-referenced ordinance is on file in the City Clerk's Office.]**

**(f) Consideration of petitions received from Zoolander, LLC, Trollinger Investment Company, George Trollinger, Chris Holland and the Asheboro Pentecostal Holiness Church requesting contiguous annexation of 134.01 acres along Old Cedar Falls Road, Gold Hill Road and East Presnell Street.**

(1) Mr. Bunker presented and recommended adoption, by reference, of a resolution directing the city clerk to investigate a petition requesting contiguous annexation of 134.01 acres of land located along Old Cedar Falls Road, Gold Hill Road, and East Presnell Street.

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

**57 RES 11-07**

**RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE AN ANNEXATION PETITION RECEIVED PURSUANT TO SECTION 160A-31 OF THE NORTH CAROLINA GENERAL STATUTES**

**(134.01 Acres of Land along Old Cedar Falls Road, Gold Hill Road, and E. Presnell Street)**

**WHEREAS**, a petition requesting the annexation of approximately 134.01 acres of land located along Old Cedar Falls Road, Gold Hill Road, and East Presnell Street has been received by the City Council of the City of Asheboro, North Carolina from Zoolander, LLC, Trollinger Investment Company, Christopher E. Holland and wife, Laura T. Holland, George T. Trollinger and wife, Julie R. Trollinger, and Asheboro Pentecostal Holiness Church, Inc., who are the owners of the respective parcels of land that are included within the area 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**, the City Council of the City of Asheboro has decided, in response to this petition, to proceed with 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 8<sup>th</sup> day of November, 2007.

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

ATTEST:

s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

**CERTIFICATE OF SUFFICIENCY**

**(134.01 Acres of Land along Old Cedar Falls Road, Gold Hill Road, and E. Presnell Street)**

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

I, Holly H. Doerr, City Clerk for 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 on this the 8<sup>th</sup> day of November, 2007.

(SEAL)

s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

(2) As a consequence of the receipt of written certification from the 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. Moffitt, 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**

**(134.01 Acres of Land along Old Cedar Falls Road, Gold Hill Road, and E. Presnell 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**, the City Clerk has issued to the City Council a certificate of sufficiency for this petition.

**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 6<sup>th</sup> day of December, 2007.

**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.

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

ATTEST:

s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

**EXHIBIT 1**

Asheboro Township, Randolph County, North Carolina:

BEGINNING at a computed point in the western margin of the 60-foot right-of-way for Gold Hill Road (North Carolina Secondary Road 2183) that is located by means of the North Carolina Coordinate System at the coordinates of North 717,548.085 feet and East 1,766,052.147 feet (NAD 27); thence from the said Beginning point along the western margin of the right-of-way for Gold Hill Road the following courses and distances: North 27 degrees 53 minutes 28 seconds East 320.72 feet to a computed point; thence North 26 degrees 39 minutes 39 seconds East 150.41 feet to a computed point; thence North 23 degrees 00 minutes 55 seconds East 229.11 feet to a computed point; thence North 23 degrees 37 minutes 08 seconds East 96.13 feet to a computed point; thence North 20 degrees 40 minutes 27 seconds East 65.38 feet to a computed point; thence North 19 degrees 28 minutes 51 seconds East 97.31 feet to a computed point; thence North 17 degrees 30 minutes 45 seconds East 107.18 feet to a computed point; thence North 16 degrees 54 minutes 07 seconds East 236.93 feet to a computed point; thence across the right-of-way for Gold Hill Road the following course and distance: South 87 degrees 06 minutes 42 seconds East 61.84 feet to a computed point in the eastern margin of the right-of-way for Gold Hill Road; thence South 87 degrees 06 minutes 42 seconds East 740.84 feet along the Fred T. and Frances Roberts property described in Deed Book 1078, Page 646, Randolph County Public Registry to a computed point; thence South 87 degrees 11 minutes 51 seconds East 2462.83 feet to a computed point; thence along the William T. Shaw property (Deed Book 905, Page 448; Deed Book 905, Page 450; and Deed Book 1055, Page 85 in the Randolph County Public Registry) as well as the Dwight D. Wall property (Deed Book 1409, Page 1529, Randolph County Public Registry) the following course and distance: 08 degrees 04 minutes 07 seconds West 823.85 feet to a computed point; thence along the Street and Mary L. Morgan property described in Deed Book 476, Page 260, Randolph County Public Registry the following courses and distances: North 87 degrees 16 minutes 37 seconds West 289.99 feet to a computed point; thence North 87 degrees 28 minutes 55 seconds West 174.76 feet to a computed point; thence North 87 degrees 27 minutes 18 seconds West 126.52 feet to a computed point; thence North 87 degrees 22 minute 39 seconds West 229.06 feet to a computed point; thence South 01 degree 18 minutes 39 seconds West 160.49 feet to a computed point; thence South 01 degree 30 minutes 58 seconds West 189.59 feet to a computed point; thence South 01 degree 29 minutes 23 seconds West 26.71 feet to a computed point in the northern margin of the right-of-way for East Presnell Street (North Carolina Secondary Road 2345); thence South 01 degree 29 minutes 23 seconds West 181.91 feet to a

point in the southern margin of the right-of-way for East Presnell Street; thence continuing along the Street and Mary L. Morgan property described in Deed Book 476, Page 260, Randolph County Public Registry the following courses and distances: South 01 degree 29 minutes 23 seconds West 644.21 feet to a computed point; thence South 01 degree 32 minutes 40 seconds West 311.04 feet to a computed point; thence South 64 degrees 48 minutes 30 seconds West 298.06 feet along the Charles E. Kinney, Jr. property described in Deed Book 1995, Page 325, Randolph County Public Registry to a computed point; thence South 64 degrees 48 minutes 34 seconds West 184.11 feet along the Glenn D. and Phyllis D. Rainey property described in Deed Book 1414, Page 1345, Randolph County Public Registry to a computed point; thence South 64 degrees 43 minutes 07 seconds West 175.07 feet along the J.H. Bell property described in Deed Book 1185, Page 1891, Randolph County Public Registry to a computed point; thence along the Grace C. Craven property described in Deed Book 1202, Page 1003, Randolph County Public Registry the following courses and distances: South 64 degrees 51 minutes 41 seconds West 161.68 feet to a computed point; thence North 88 degrees 09 minutes 37 seconds West 47.95 feet to a computed point; thence along the Charlie M. Harmon, Jr. property described in Deed Book 1116, Page 383, Randolph County Public Registry the following courses and distances: North 88 degrees 17 minutes 21 seconds West 161.68 feet to a computed point; thence North 88 degrees 16 minutes 03 seconds West 142.41 feet to a computed point; thence North 88 degrees 14 minutes 11 seconds West 195.70 feet to a computed point; thence South 04 degrees 22 minutes 31 seconds West 376.80 feet to a computed point; thence along the Rogelio and Maria S. Jaimes property described in Deed Book 1707, Page 1409, Randolph County Public Registry the following courses and distances: North 78 degrees 48 minutes 00 seconds West 295.22 feet to a computed point; thence South 06 degrees 14 minutes 58 seconds West 199.94 feet to a computed point in the eastern margin of the 60-foot right-of-way for Rock Crusher Road (North Carolina Secondary Road 2191); thence across the right-of-way for Rock Crusher Road the following course and distance: South 55 degrees 51 minutes 53 seconds West 60.05 feet to a computed point in the western margin of the right-of-way for Rock Crusher Road; thence along the western margin of the right-of-way for Rock Crusher Road the following courses and distances: North 28 degrees 18 minutes 33 seconds West 42.09 feet to a computed point; thence North 34 degrees 08 minutes 07 seconds West 136.97 feet to a computed point; thence North 50 degrees 01 minute 33 seconds West 132.93 feet to a computed point; thence North 17 degrees 28 minutes 43 seconds West 84.92 feet to a computed point; thence North 45 degrees 22 minutes 18 seconds West 89.61 feet to a computed point; thence North 51 degrees 23 minutes 20 seconds West 91.43 feet to a computed point; thence North 62 degrees 57 minutes 53 seconds West 100.63 feet to a computed point in the southern margin of the right-of-way for East Presnell Street; thence along the southern margin of the right-of-way for East Presnell Street the following courses and distances: North 88 degrees 25 minutes 18 seconds West 206.73 feet to a computed point; thence North 88 degrees 25 minutes 19 seconds West 167.94 feet to a computed point; thence North 88 degrees 23 minutes 33 seconds West 157.20 feet to a computed point; thence across the right-of-way for East Presnell Street the following course and distance: North 01 degrees 36 minutes 27 seconds East 123.38 feet to a computed point in the northern margin of the right-of-way for East Presnell Street; thence North 38 degrees 12 minutes 41 seconds East 255.09 feet along the Faith Temple Holiness Church property described in Deed Book 1440, Page 1294, Randolph County Public Registry to a computed point; thence South 89 degrees 58 minutes 12 seconds East 150.19 feet along the Jolanda M. Robinson property described in Deed Book 1058, Page 800, Randolph County Public Registry to a computed point; thence South 71 degrees 17 minutes 45 seconds East 325.70 feet to a computed point; thence South 72 degrees 05 minutes 23 seconds East 104.80 feet to a computed point; thence South 71 degrees 20 minutes 56 seconds East 156.69 feet to a computed point in the northern margin of the right-of-way for East Presnell Street; thence along the northern margin of the right-of-way for East Presnell Street the following course and distance: North 78 degrees 46 minutes 51 seconds East 34.17 feet to a computed point; thence North 06 degrees 54 minutes 47 seconds East 290.82 feet to a computed point in the southern margin of the 60-foot right-of-way for Lansdowne Road (North Carolina Secondary Road 2294); thence across the Lansdowne Road right-of-way the following course and distance: North 64 degrees 55 minutes 56 seconds East 105.80 feet to a computed point in the northern margin of the right-of-way for Lansdowne Road; thence North 12 degrees 19 minutes 47 seconds East 365.85 feet a computed point; thence South 89 degrees 21 minutes 00 seconds East 174.43 feet to a computed point; thence North 71 degrees 34 minutes 11 seconds East 205.00 feet to a computed point in the western margin of the 60-foot right-of-way for Fawnwood Circle; thence along the terminus of the right-of-way for Fawnwood Circle the following course and distance: North 56 degrees 16 minutes 11 seconds East 63.41 feet to a computed point in the eastern margin of the right-of-way for Fawnwood Circle; thence South 63 degrees 25 minutes 49 seconds East 50.24 feet to a computed point; thence North 69 degrees 01 minute 11 seconds East 77.00 feet to a computed point; thence North 10 degrees 50 minutes 19 seconds West 179.45 feet to a computed point; thence North 63 degrees 16 minutes 11 seconds East 33.57 feet to a computed point; thence North 69 degrees 01 minute 11 seconds East 270.00 feet to a computed point; thence North 40 degrees 14 minutes 11 seconds East 111.47 feet to a computed point; thence North 19 degrees 33 minutes 41 seconds East 206.00 feet to a computed point; thence North 40 degrees 17 minutes 19 seconds West 251.01 feet to a computed point in the southern margin of the 60-foot right-of-way for Fox Run Drive; thence North 44 degrees 06 minutes 19 seconds West 60.00 feet across the right-of-way for Fox Run Drive; thence North 40 degrees 17 minutes 19 seconds West 153.45 feet to a computed point; thence along the Kathy M. Criscoe property described in Deed Book 1169, Page 231, Randolph County Public Registry the following courses and distances: North 49 degrees 42 minutes 41 seconds East 58.00 feet to a computed point; thence North 40 degrees 17 minutes 19 seconds West 150.00 feet to a computed point in the southern margin of the 60-foot right-of-way for Old Cedar Falls Road (North Carolina Secondary Road 2216); thence across the right-of-way for Old Cedar Falls Road North 33 degrees 16 minutes 49 seconds West 60.45 feet to a computed point; thence along the Evon L. Cromedy property described in Deed Book 1568, Page 1044, Randolph County

Public Registry the following courses and distances: North 40 degrees 12 minutes 49 seconds West 175.00 feet to a computed point; thence South 49 degrees 42 minutes 41 seconds West 100.00 feet to a computed point; thence along the Thermon and Diane M. Howard property described in Deed Book 1087, Page 35, Randolph County Public Registry the following courses and distances: South 35 degrees 40 minutes 41 seconds West 103.11 feet to a computed point; thence South 40 degrees 07 minutes 45 seconds East 150.32 feet to a computed point in the northern margin of the right-of-way for Old Cedar Falls Road; thence along the northern right-of-way for Old Cedar Falls Road the following courses and distances: South 49 degrees 43 minutes 22 seconds West 232.57 feet to a computed point; thence South 49 degrees 57 minutes 47 seconds West 53.73 feet to a computed point; thence along the James P. Goldston property described in Deed Book 1259, Page 760, Randolph County Public Registry the following courses and distances: North 37 degrees 55 minutes 19 seconds West 150.00 feet to a computed point; thence South 52 degrees 08 minutes 11 seconds West 134.98 feet to a computed point; thence South 52 degrees 01 minute 12 seconds West 135.02 feet along the Gladys M. Silver property described in Deed Book 1107, Page 110, Randolph County Public Registry to a computed point; thence South 52 degrees 04 minutes 41 seconds West 135.07 feet along the Craig and Margaret G. McDonald property described in Deed Book 1458, Page 1228, Randolph County Public Registry to a computed point; thence South 51 degrees 57 minutes 20 seconds West 134.94 feet along the Earlene M. Shoffner property described in Deed Book 1109, Page 579, Randolph County Public Registry to a computed point; thence South 52 degrees 16 minutes 51 seconds West 137.48 feet along the Mark R. and Elaine M. Shoffner property described in Deed Book 1756, Page 2239, Randolph County Public Registry to a computed point; thence South 51 degrees 56 minutes 57 seconds West 100.00 feet along the Mark R. and Earline M. Shoffner property described in Deed Book 1858, Page 1931, Randolph County Public Registry to a computed point; thence North 22 degrees 37 minutes 48 seconds West 161.18 feet to a computed point; thence North 22 degrees 33 minutes 18 seconds West 150.01 feet to a computed point; thence South 76 degrees 56 minutes 14 seconds West 264.69 feet to a computed point; thence South 76 degrees 48 minutes 28 seconds West 119.73 feet along the Arnetta M. Staley property described in Deed Book 1171, Page 124, Randolph County Public Registry to a computed point; thence North 83 degrees 50 minutes 02 seconds West 160.99 feet to a computed point in the eastern right-of-way for Gold Hill Road; thence North 83 degrees 50 minutes 02 seconds West 65.24 feet to a computed point in the western margin of the right-of-way for Gold Hill Road; thence along the western margin of the right-of-way for Gold Hill Road and the existing primary corporate limits for the City of Asheboro the following course and distance: North 27 degrees 47 minutes 38 seconds East 33.79 feet to the point and place of the BEGINNING, and containing 134.01 acres of land, more or less, to be annexed.

This description is in accordance with a plat of survey entitled "ANNEXATION PLAT PREPARED FOR City Of Asheboro E. Presnell St. & Gold Hill Rd. Area" that was drawn under the supervision of Glenn Lee Brown, Professional Land Surveyor with Registration No. L-3663. This plat of survey is dated November 2, 2007 and is identified as Job No. G07135AX.

**(g) City Engineer's report on Brookwood Drive, Twain Drive, North Shore Drive, Itasca Ct. and Winnetka Ct. project.**

Mr. Bunker presented a map depicting the above-referenced areas proposed for future annexation. The city is proposing to put water and sewer along Brookwood Drive and Twain Drive. Plans are complete for water and sewer extension and are awaiting approval from the North Carolina Department of Transportation. The annexation surveys have been contracted, and easements have been acquired in order to install sewer lines. The estimated cost for the project is approximately \$290,000.

**9. Economic Development Items:**

**(a) Notice of Community Development Block Grant Award of \$750,000 to the City of Asheboro for the Malt-O-Meal project.**

Mr. O. Lynn Priest, Community Development Director, reported that the city has been awarded the requested Community Development Block Grant for the Malt-O-Meal project.

**(b) Consideration of project ordinance for Malt-O-Meal Rail Service Project Fiscal Year 2007-2008**

Ms. Juberg presented and recommended adoption, by reference, of the aforementioned ordinance.

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

53 ORD 11-07

**[The hard copy of the above-referenced ordinance is on file in the City Clerk's Office.]**

**(c) Consideration of an ordinance to amend the general fund Fiscal Year 2007-2008.**

Ms. Juberg presented and recommended adoption, by reference, of the aforementioned ordinance.

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

54 ORD 11-07

**[The hard copy of the above-referenced ordinance is on file in the City Clerk's Office.]**

**(d) Consideration of an ordinance to amend the Economic Development Fund Fiscal Year 2007-2008.**

Ms. Juberg presented and recommended adoption, by reference, of the aforementioned ordinance.

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

55 ORD 11-07

**[The hard copy of the above-referenced ordinance is on file in the City Clerk's Office.]**

**(e) Consideration of an ordinance to amend the General Fund Fiscal Year 2007-2008.**

Ms. Juberg presented and recommended adoption, by reference, of the aforementioned ordinance.

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

56 ORD 11-07

**[The hard copy of the above-referenced ordinance is on file in the City Clerk's Office.]**

**10. Report by the Director of Water Resources on the current levels of the city lakes.**

Mr. Michael Rhoney, Director of Water Resources, reported that the water levels of the city lakes have improved, but he expressed the need to continue the mandatory water restrictions. Lake Reese rose approximately three (3) feet, while Lake Lucas rose approximately 6.3 inches. The city currently has approximately 243 days of available water supply.

**11. Preview for the City Council of the new video for the city website.**

Mr. Ogburn and Mr. Richard Cox presented a preview of an informational video about the City of Asheboro. Once the video is completed, it will be available for public viewing on the city's website.

**12. Consideration of an agreement for engineering services between the City of Asheboro and McGill Associates, P.A. of Hickory, North Carolina for the design and construction phase engineering services required for the proposed Zoo City Park, with the proposed lump sum and hourly fees not to exceed \$420,000.00**

Mr. Hughes presented and recommended approval of the aforementioned agreement.

Upon motion by Mr. Crisco and seconded by Mr. Baker, Council voted unanimously to approve the above-referenced agreement.

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

**13. Report on recommendations from Community Appearance Commission.**

Mr. Neely and Mr. Cox presented a slide show presentation of examples of how other cities promote pedestrian and bike safety. In addition to addressing safety, the slide show included examples of downtown maps and directories.

Mr. Neely and Mr. Cox recommended that the city explore ways to enhance downtown pedestrian and bike safety by installing brick sidewalks and crosswalk signs along with bike lanes. Additionally, the city should have downtown maps and directories.

Upon motion by Mr. Crisco and seconded by Mr. Smith, Council directed the planning staff to proceed with developing a plan for the installation of the above items. While potential one-way streets were discussed by Mr. Neely during the presentation, the adopted motion did not authorize planning for one-way streets.

**14. Consideration of a resolution approving the purchase of a fire truck.**

Mr. Sugg presented and recommended adoption, by reference, of the aforementioned resolution.

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

**59 RES 11-07**

**RESOLUTION APPROVING THE PURCHASE OF A FIRE TRUCK**

**WHEREAS**, upon the request of the Asheboro Fire Chief, the City Manager has recommended to the City Council of the City of Asheboro that a new fire truck be purchased; and

**WHEREAS**, pursuant to Section 143-129(g) of the North Carolina General Statutes, the City Council may waive, if the City Council determines that such an action is in the best interest of the City of Asheboro, the bid procedures specified for the purchase of equipment when the equipment is to be purchased from a vendor that can satisfy the following criteria: (i) the vendor has, within the previous twelve (12) months, completed a public, formal bid process substantially similar to the process prescribed by Article 8, Chapter 143 of the North Carolina General Statutes, (ii) the vendor has contracted, as a result of this public bid process, to furnish equipment comparable to that sought by the City of Asheboro to a political subdivision of another state, and (iii) the vendor is willing to furnish said equipment to the City of Asheboro at the same or more favorable prices, terms, and conditions as those provided to the other unit of government; and

**WHEREAS**, Sutphen Corporation builds a heavy-duty custom chassis pumper that meets the specifications established by the Asheboro Fire Chief for the purchase of a new fire truck/apparatus for the Asheboro Fire Department; and

**WHEREAS**, Sutphen Corporation participated in March 2007 in a public, formal bid process substantially similar to the public, formal bid process utilized in North Carolina that was conducted by the City of Oneida, New York and, as a consequence of that bid process, Sutphen Corporation was awarded on April 3, 2007 a contract to supply the City of Oneida, New York with a heavy-duty custom chassis pumper comparable to the unit sought by the City of Asheboro; and

**WHEREAS**, Sutphen Corporation is willing to furnish the City of Asheboro with a comparable fire truck/apparatus at the same or more favorable prices, terms, and conditions as those provided to the City of Oneida, New York; and

**WHEREAS**, on October 25, 2007, notice was published in the *Courier Tribune*, a newspaper of general circulation in the Asheboro area, that the City Council would consider during its regular meeting on November 8, 2007 approving a waiver of the competitive bid procedures specified in Section 143-129 of the North Carolina General Statutes in order to contract with Sutphen Corporation for the purchase of a heavy-duty custom chassis pumper.

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

**Section 1.** Pursuant to Section 143-129(g) of the North Carolina General Statutes, the City Council of the City of Asheboro does hereby waive the bid procedures prescribed by Section 143-129 of the North Carolina General Statutes in order to contract with a qualified supplier, Sutphen Corporation, for the purchase of one (1) heavy-duty custom chassis pumper at the same or more favorable prices, terms, and conditions as those provided to the City of Oneida, New York during a public, formal bid process conducted in March 2007.

**Section 2.** The purchase from Sutphen Corporation of one (1) heavy-duty custom chassis pumper at a contract price not to exceed Two Hundred Eighty-Nine Thousand Six Hundred Thirty-Four and 63/100 Dollars (\$289,634.63) is hereby approved.

Adopted by the Asheboro City Council in regular session on the 8<sup>th</sup> day of November, 2007.

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

ATTEST:

s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

**15. Consideration of a resolution approving the private sale of city-owned personal property formerly utilized by the Asheboro Police Department.**

Mr. Sugg presented and recommended adoption, by reference, of the aforementioned resolution.

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

**60 RES 11-07**

**RESOLUTION AUTHORIZING THE PRIVATE SALE OF CERTAIN SURPLUS CITY-OWNED PERSONAL PROPERTY**

**WHEREAS**, Section 160A-266 of the North Carolina General Statutes authorizes a city to dispose of surplus personal property by private negotiation and sale when the property to be sold is valued at less than thirty thousand dollars (\$30,000.00) for any one item or group of similar items; and

**WHEREAS**, the Chief of Police has identified city-owned gas masks with replacement components, firearms with holsters and ammunition, a stun gun, and a dart gun that should be declared surplus property and sold in order to upgrade the police department's equipment; and

**WHEREAS**, this outdated equipment (hereinafter collectively referred to as the "Surplus Equipment") is more specifically described in the attached EXHIBIT 1, which is hereby incorporated into this resolution by reference as if copied fully herein; and

**WHEREAS**, after having the Surplus Equipment reviewed by three (3) federally licensed firearms dealers, one of the dealers, Lawmen's, made an offer of seven thousand forty and no/100 dollars (\$7,040.00) for the Surplus Equipment; and

**WHEREAS**, Lawmen's has agreed to allow the city to apply any proceeds from the proposed sale of the Surplus Equipment as a credit toward the purchase from the dealer of upgraded equipment for the police department; and

**WHEREAS**, the City Manager has concurred with the recommendation of the Chief of Police that the equipment listed in EXHIBIT 1 should be declared surplus property and sold to Lawmen's by means of private negotiation and sale in order to upgrade the police department's equipment and comply with the federal and state laws pertaining to the transfer of firearms.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro, in regular session on the 8<sup>th</sup> day of November, 2007, that the personal property listed in the attached EXHIBIT 1 is hereby declared to be surplus property; and

**BE IT FURTHER RESOLVED** that the Chief of Police is hereby authorized and directed to dispose of the Surplus Equipment by means of a private sale, which is to be conducted in full compliance with the provisions of Section 160A-267 of the North Carolina General Statutes, at a negotiated price.

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



22.	Smith & Wesson	.357 Caliber Magnum Pistol with Holster	ACY2699
23.	Raven Arms	Model P-25 .25 Caliber Pistol	144647
24.	Armi	9mm Caliber Pistol	H04080 (This serial number has a symbol after the last 0 that appears to be a back- ward facing "C".)
25.	Llama	.45 Caliber Pistol	B10879
26.	Winchester	Model 1200 12 Gauge Pump Shotgun	L679075
27.	Ithaca	12 Gauge Model 37 FeatherLight Pump Shotgun	371136246
28.	Ithaca	12 Gauge DH Police Special Model 37 FeatherLight Pump Shotgun	989996
29.	Ithaca	12 Gauge Model 37 FeatherLight Pump Shotgun	371135184
30.	Stevens Browning	12 Gauge Model 820 Pump Shotgun	U47421
31.	Remington	12 Gauge WingMaster Model 870 Pump Shotgun	S101923V
32.	Hi Standard	12 Gauge Pump Shotgun	3197494
33.	Winchester	Single Barrel Model 37A (Youth) 20 Gauge Shotgun	C987383
34.	Hi Standard	12 Gauge Pump Shotgun	3197488
35.	Ithaca	12 Gauge DH Police Special Model 37 FeatherLight Pump Shotgun	1001512
36.	Ithaca	12 Gauge DH Police Special Model 37 FeatherLight Pump Shotgun	1003137
37.	Remington	30-06 GameMaster Model 760 with a Scope	516369
38.	O.F. Mossberg & Sons	.22 Caliber Model 350 KA Rifle	AC-KRO-GRUV
39.	Stevens	30-30 Model 325 Bolt Action Rifle	No Serial Number Found
40.	Ithaca	12 Gauge DH Police Special Model 37 FeatherLight Pump Shotgun	1003201
41.	Mossberg	12 Gauge Pump Shotgun	J639976
42.	Mossberg	12 Gauge Model 500A Pump Shotgun with a Folding Stock and a Pistol Grip	J854378
43.	Beretta	12 Gauge Model 1201 Semi- Automatic Shotgun	A20153L
44.	Beretta	12 Gauge Model 1201 Semi- Automatic Shotgun	A20578L

45.	Beretta	12 Gauge Model 1201 Semi-Automatic Shotgun	A18316L
46.	Beretta	12 Gauge Model 1201 Semi-Automatic Shotgun	A24560L
47.	Beretta	12 Gauge Model 1201 Semi-Automatic Shotgun	A20126L
48.	Beretta	12 Gauge Model 1201 Semi-Automatic Shotgun	A25805L
49.	Beretta	12 Gauge Model 1201 Semi-Automatic Shotgun	A20158L
50.	Beretta	12 Gauge Model 1201 Semi-Automatic Shotgun	A25839L
51.	Beretta	12 Gauge Model 1201 Semi-Automatic Shotgun	A20161L
52.	Beretta	12 Gauge Model 1201 Semi-Automatic Shotgun	A28636L
53.	Mossberg	12 Gauge Model 500A Pump Shotgun	J496293
54.	Mossberg	12 Gauge Model 500A Pump Shotgun	J639963
55.	Stevens Browning	12 Gauge Model 621 Pump Shotgun	U73879
56.	Ithaca	12 Gauge DH Police Special Model 37 FeatherLight Pump Shotgun	990078
57.	Plainfield Machine	.30 Caliber Model 1 Carbine	56576
58.	Plainfield Machine	.30 Caliber Model 1 Carbine	32254
59.	Palmer Chem. & Equip. Company	Red's Special-Cap-Chur. Equip. Dart Gun	R2241
60.	Mine Safety Appliances Company	Quantity of 48 Advantage 1000 Gas Masks	
61.	Mine Safety Appliances Company	Quantity of 6 Advantage 1000 Gas Mask Lenses	
62.	Mine Safety Appliances Company	Quantity of 17 Advantage 1000 Gas Mask Filters	
63.	Mine Safety Appliances Company	Assortment of Spare Parts for Advantage 1000 Gas Masks	
64.	SafariLand	Quantity of 7 Model 070-73 Right Handed Holsters for Beretta Model 96 Centurion Pistols	
65.	SafariLand	Quantity of 5 Model 070-73 Left Handed Holsters for Beretta Model 96 Centurion Pistols	
66.	Uncle Mike's	Quantity of 8 Sidekick Right Handed Holsters for Beretta Model 96 Centurion Pistols	
67.	Uncle Mike's	Quantity of 10 Sidekick Left Handed Holsters for Beretta Model 96 Centurion Pistols	

**16. Consideration of an ordinance amending Chapter 50 (Water and Sewer) of the Code of Asheboro.**

Mr. Sugg presented and recommended adoption, by reference, of the aforementioned ordinance.

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

**57 ORD 11-07**

**AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF ASHEBORO**

**WHEREAS**, Chapter 50 of the Code of Asheboro prescribes general water and sewer provisions for the City of Asheboro; and

**WHEREAS**, the City Council has concluded that certain provisions within Chapter 50 should be updated.

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

**Section 1.** Section 50.001 of the Code of Asheboro is hereby rewritten to provide as follows:

**§ 50.001 WATER AND SEWER DEPARTMENT; ~~SUPERINTENDENT OF WATERWORKS~~  
DIRECTOR OF WATER RESOURCES**

Subject to the general control and orders of the City Manager, the ~~Superintendent of Waterworks~~ Director of Water Resources shall be head of the Water and Sewer Department, and shall have general control and administrative authority over the personnel and property of the department and the city water and sewer systems, and be responsible for the efficient and economical employment thereof for their intended purposes and uses.

**Section 2.** Section 50.004 of the Code of Asheboro is hereby rewritten to provide as follows:

**§ 50.004 WATER AND SEWER CONNECTION FEES**

(A) *Water service connection for service to property fee inside city limits.* The following fees shall be charged for connection to a city water main for property inside the city limits:

<b>Size</b>	Complete service to right-of-way	New tap only	New meter and setter with box only	New meter only installed in existing service
5/8" x 3/4"	\$1,400	\$ 700	\$ 700	\$ 60
1"	1,700	850	850	200
1½"	2,900	1,450	1,450	375
2"	3,000	1,500	1,500	550

(B) *Water service connection fee for service to property outside city limits.* The following fees shall be charged for connection to a city water main for property outside the city limits:

<b>Size</b>	Complete service to right-of-way	New tap only	New meter and setter with box only	New meter only installed in existing service
5/8" x 3/4"	\$ 2,100	\$1,050	\$1,050	\$ 90
1"	2,500	1,250	1,250	300
1½"	4,300	2,150	2,150	570
2"	4,500	2,250	2,250	825

(C) *Sewer service connection fee for service to property inside city limits.* ~~The~~ Subject to the following paragraph, the following fees shall be charged for connection to the city sewer system for property inside the city limits:

<b>Size</b>	<b>Complete service to right-of-way</b>
4"	\$1,100
6"	1,200

As an incentive for early connection to the sanitary sewer system, the above-stated sewer service connection fees shall be discounted on the basis of how quickly owners of property required to connect to the sanitary sewer system pursuant to Section 50.095 do in fact make the required connections. The base line for determining the amount of the discount for which a property owner is eligible shall be referred to as the notification date, and this notification date is the date on which the notice required by Section 50.099 is deposited by the city with the United States Postal Service for delivery as first class mail. If a sewer service connection is made within 2½ years of the notification date, the sewer service connection fee shall be waived. If a connection is made after 2½ years, but before 5 years have lapsed, the sewer service connection fee shall be discounted by 75%. If a connection is made after 5 years, but before 7½ years have lapsed, the sewer service connection fee shall be discounted by 50%. If a connection is made after 7½ years, but before 10 years have lapsed, the sewer service connection fee shall be discounted by 25%. No discount shall be available once 10 years have lapsed since the notification date. This incentive plan does not apply to extensions of the public sanitary sewer system completed prior to January 1, 2008, and this incentive plan does not apply to extensions of the public sanitary sewer system that are undertaken as part of the major subdivision review and approval process prescribed by the City of Asheboro Subdivision Ordinance or are otherwise initiated by some person or entity other than the city.

(D) *Sewer service connection fee for service to property outside city limits.* The following fees shall be charged for connection to the city sewer system for property outside the city limits:

<b>Size</b>	<b>Complete service to right-of-way</b>
4"	\$2,200
6"	2,400

(E) Charges include all street repairs.

(F) When a connection to a city water or sewer facility, which has been extended into an area outside of the city's corporate limits at the sole expense of the city, has been authorized by the City Council pursuant to § 50.008(C)(2) of this chapter, a surcharge shall be imposed on such a connection in addition to any other fee prescribed by this section. The amount of the surcharge shall be calculated by distributing the cost incurred by the city, less any expense offset by the standard connection fee, pro rata between the owners of each parcel of land served by the water or sewer facility to which the connection is to be made. The exact surcharge for any particular water or sewer facility subject to this division shall be listed in the schedule of water/sewer service connection surcharges. This schedule of surcharges shall be maintained in the office of the City Clerk and shall be available for public inspection during regular business hours.

(G) Unlisted water and sewer service items for property inside city limits will be at cost.

(H) Unlisted water service items for property outside city limits will be at cost plus 50%.

(I) Unlisted sewer service items for property outside city limits will be at cost plus 100%.

(J) Approval must be secured from the North Carolina Department of Transportation before state-maintained streets can be cut.

**Section 3.** Section 50.024 of the Code of Asheboro is hereby rewritten to provide as follows:

#### § 50.024 USE OF FIRE HYDRANTS

~~It shall be unlawful for any person to open any fire hydrant of the City Water System without a written permit therefor from the Water and Sewer or Fire Departments; provided, that this provision shall not apply to members of the Fire Department or to street cleaning personnel authorized to use the fire hydrants.~~

It shall be unlawful for any person to open, turn on, or use water from any fire hydrant connected to the City of Asheboro Water Distribution System, or to attach any hose, pipe, or any other type of apparatus to such a fire hydrant, without a written revocable permit issued by the Director of Water Resources or his designee; provided, that this prohibition shall not apply to employees of the City of Asheboro qualified to use fire hydrants in the course of performing their official duties. Portable meters for connection to fire hydrants may be furnished by the city after a permit application and security deposit have been submitted to the Director of Water Resources or his designee. The permit holder shall be responsible for any damage to the hydrant, portable meter, connections, or any other component of the city's water distribution system. Such damages will be billed to the permit holder. Subject to the following exception, all charges for water consumption shall be billed to the permit holder in accordance with the adopted rate schedule. Contractors performing work for the city and contractors blowing off newly constructed water lines will not be billed for the water used for these particular tasks. While a hydrant is in use, no wrench shall be used on the hydrant other than an approved hydrant wrench.

**Section 4.** Section 50.027 of the Code of Asheboro is hereby rewritten to provide as follows:

§ 50.027 EMERGENCY WATER MANAGEMENT PROCEDURES

(A) Subject to review by the City Council at any regular or special meeting of the City Council, a "water emergency" may be declared by the City Manager of the City of Asheboro or his designee to exist when any condition or situation exists that may threaten the availability and/or safety of either treated or potable water from the water supply, treatment, and distribution system operated and maintained by the City of Asheboro. A "water emergency" shall be declared by the City Manager or his designee to exist when users of the City of Asheboro water system cannot be supplied with treated or potable water without substantially curtailing the water demand placed on the city's water system. Furthermore, a "water emergency" shall be declared to exist when production, treatment, transmission, and storage facilities are incapable of meeting all daily water demands or when projections of available water show that the available supply of water will not meet the daily water demands.

(B) A declaration of the existence of a "water emergency" by the City Manager or his designee shall specify the level of severity of the emergency and be in the form of a signed executive order that, upon its issuance, shall be distributed to the Mayor and members of the City Council in a manner calculated to provide the most expeditious notification possible. Once the distribution of the declaration of the existence of a "water emergency" to the Mayor and members of the City Council has been undertaken, the City Manager or his designee shall give notice to the general public by means of a public press announcement of the existence of a "water emergency" and the severity thereof. The regulatory provisions authorized by this section will become effective twenty-four (24) hours after the issuance of the public press announcement specified in the preceding sentence.

(C) In the event of a sudden and severe water shortage created by a disrupted waterline or some other malfunction/disruption of the city's water system, the City Manager or his designee may immediately place into effect the appropriate restrictive provisions authorized herein. The restrictive provisions implemented by the City Manager or his designee may include, but are not limited to, the temporary discontinuance of service without prior notice to any person, entity, or structure receiving water from the City of Asheboro water system. Furthermore, such restrictive provisions implemented as a consequence of a sudden and severe disruption of water service may also include, but are not limited to, any combination of the various restrictions found within the different levels of staged water use restrictions prescribed by Subsection (D) of this Section. Any restrictive provisions implemented pursuant to this subsection may be citywide in scope or limited to the geographic area of the city affected by a localized disruption of the city's water system. The necessity of such restrictive provisions shall be reevaluated on a daily basis by the City Manager or his designee, in consultation with the Director of Water Resources, and the restrictive provisions authorized by this subsection shall be terminated by the City Manager or his designee as soon as is practicable. In the event of the imposition of such temporary restrictive provisions due to a sudden disruption to the water system, the notification requirements prescribed by subsection (B) of this section shall be implemented as soon as is practicable.

(D) The severity of a "water emergency" shall be classified and expressed by the City Manager or his designee in terms of the level of staged water use restrictions imposed on consumers of water from the City of Asheboro Water System. For the purpose of this section, the staged water use restrictions are as follows:

(1) **Level I (Voluntary)** During a declared Level I water emergency, consumers of water from the City of Asheboro water system shall be encouraged to implement the following voluntary water conservation practices:

- (a) Watering of lawns, ornamental plants, and gardens should be limited to the hours between 7:00 PM and 7:00 AM; and
- (b) Use of water for wash down of outside areas such as driveways, parking lots, and sidewalks should be curtailed; and
- (c) Faucets should not be left running while shaving, brushing teeth, or washing dishes; and
- (d) The use of clothes and dishwashers should be limited where possible, and these units should be operated with full loads; and
- (e) Washing cars and other vehicles should be curtailed to Saturday and Sundays, and hoses should not be left running while washing; and
- (f) The use of flow restriction and other water saving devices is encouraged; and
- (g) Showers should be used for bathing, and showers should be limited to four (4) minutes or less; and
- (h) Filling of pools should be deferred or limited to hours between 7:00 PM and 7:00 AM.

(2) **Level II (Mandatory)** During a declared Level II water emergency, the following mandatory water use restrictions shall be in effect for consumers of water from the City of Asheboro water system:

- (a) The watering of lawns, ornamental plants, and gardens shall be limited to the hours between 7:00 PM and 7:00 AM; and
- (b) The watering of lawns, ornamental plants, and gardens shall not be done except by handheld containers (buckets, jugs, etc.); and

- (c) With the exception of situations where a wash down of outside areas is necessary due to public health and safety concerns, the residential use of water for wash down of outside areas is prohibited. Commercial pressure washers shall be permitted to continue normal operations. However, the commercial pressure washer owners and/or operators shall ensure that water wastage does not occur; and
- (d) Residential washing of cars and other vehicles is prohibited. Automobile retail establishments and commercial automobile washing facilities including those providing hand held washing nozzles shall be permitted to continue normal operations. However, the facility owner/operator shall ensure that water wastage does not occur; and
- (e) Restaurants and other food serving establishments shall serve water to patrons only at the request of the patron(s); and
- (f) Commercial, industrial and construction operations shall eliminate all possible waste of water. Large scale commercial and industrial operations and construction activities that utilize 20,000 cubic feet or more of water per month shall submit a water reduction compliance plan to achieve 25, 50, or 75 percent (%) water reduction as specified under the Level II water emergency declaration within (14) fourteen days of the effective date of the regulations and restrictions specified in the Level II water emergency declaration; and
- (g) Above-ground pools, Jacuzzis, and hot tubs having a capacity of 500 gallons or more and all newly constructed or drained in-ground pools shall be filled by permit only. The Director of Water Resources or his designee shall review applications for such fill permits. The issuance of such a permit may be denied on the basis of the assessment by the Director of Water Resources of the severity of the situation.

(3) **Level III (Mandatory)** During a declared Level III water emergency, the following mandatory use restrictions shall be in effect for consumers of water from the City of Asheboro water system:

- (a) Any form of watering or irrigating lawns, gardens, and/or other plants is prohibited; and
- (b) With the exception of situations where the wash down of certain outside areas is necessary due to public health and safety concerns, the use of water for wash down of outside areas is prohibited; and
- (c) With the exception of situations where the washing of certain items is necessary due to public health and safety concerns, the washing of cars, vehicles, and/or other equipment is prohibited; and
- (d) Restaurants and other food serving establishments shall utilize single serving utensils and plates in addition to serving water to patrons only at the request of the patron(s); and
- (e) Recreational use of potable water, including filling of pools, is prohibited; and
- (f) Large scale commercial and industrial water customers and construction activities utilizing 20,000 cubic feet or more of water per month shall achieve mandatory reductions in daily water usage of 25, 50, or 75 percent (%) through whatever means are available. The target reduction percentage shall be determined by the severity of the water emergency and shall be publicly announced as part of the emergency declaration. The Director of Water Resources shall determine compliance with the daily usage reduction targets. Variances to this restriction may be granted by the Director of Water Resources to public health facilities including, but not limited to, hospitals and nursing homes; and
- (g) Drinking water taps or hydrant permits shall be issued or revoked at the discretion of the Director of Water Resources; and
- (h) Unless a bulk water sale is made pursuant to an existing contract, bulk water sales shall be prohibited.

(4) **Level IV (Mandatory)** During a declared Level IV water emergency, the following mandatory water use restrictions shall be in effect for consumers of water from the City of Asheboro water system:

- (a) All use of water for purposes other than the maintenance of public health and safety is prohibited; and
- (b) Unless a bulk water sale is made pursuant to an existing contract, bulk water sales shall be prohibited; and
- (c) Where the City of Asheboro water system is functional, monthly residential water use shall not exceed 1,200 cubic feet of water at each metered location; and
- (d) Where the City of Asheboro water system is not functional, National Guard and emergency services vehicles shall be utilized to distribute water for household use at prearranged locations within the effected area. Usage by individuals shall be limited to those amounts necessary to sustain life through drinking, food preparation, and personal hygiene; and
- (e) The compliance plan for industries during Level IV remains the same as Level III or as directed by the State of North Carolina Public Health Officials.

(E) In the event of the declaration of a "water emergency" by the City Manager or his designee in accordance with the provisions of this section, it shall be unlawful for any person to use or permit the use of water from the water system of the City of Asheboro in violation of any of the provisions set forth in this section until such time as the City Manager or his designee has declared the restrictive provision(s) in question to be no longer in effect.

(F) Once a "water emergency" has been declared and the appropriate staged restrictions imposed, the Director of Water Resources or his designee shall review the operational status of the city's water system and the supply of water available to the city's water system at least once per calendar day. On a daily basis, the Director of Water Resources shall notify the City Manager or his designee of the operational status of the city's water system and the available water supply. On the basis of the information gathered in order to provide this notification, the Director of Water Resources or his designee shall recommend to the City Manager or his designee during the course of this daily notification procedure whether a different stage of restriction should be implemented. The City Manager or his designee shall make the final determination as to whether any change in the stage of restriction is warranted. If such a change in the stage of restriction is warranted, the notification procedures prescribed by subsection (B) shall be followed in the same manner as for the initial declaration of a "water emergency".

(G) Compliance with the provisions of this section shall be enforced by personnel of the Division of Water Resources, the Asheboro Police Department, and any other personnel designated by the City Manager. Failure to comply with any of the regulations or restrictions of this section shall be unlawful and a violation of the section. All remedies authorized by law for noncompliance with the section, including the issuance of a civil penalty citation or an action for injunctive relief, may be exercised to enforce the provisions of this section. It shall be unlawful to fail to act in accordance with the provisions of this section or to use water in any manner that constitutes an attempted and /or actual evasion or avoidance of the water restrictions prescribed by this section.

(H) Any consumer of water from the City of Asheboro water system who violates any provision of this section shall be subject to civil penalties as follows:

1. During a declared Level II water emergency, residential users who violate any of the mandatory restrictions of this section shall be subject to a written warning for the first offense; a civil penalty in the amount of one hundred dollars (\$100.00) for the second offense; and a civil penalty in the amount of two hundred dollars (\$200.00) for the third and successive offenses. During a declared Level III or Level IV water emergency, there shall be no warnings issued, and residential users who violate any of the mandatory restrictions of this section shall be subject to a civil penalty in the amount of one hundred dollars (\$100.00) for the first offense and a civil penalty in the amount of two hundred dollars (\$200.00) for the second and successive offenses.
2. During any declared water emergency, any non-residential user who violates any of the mandatory restrictions of this section shall be subject to a written warning for the first offense; a civil penalty of two hundred dollars (\$200.00) for the second offense; a civil penalty of five hundred dollars (\$500.00) for the third offense; and a civil penalty of one thousand dollars (\$1,000.00) for the fourth and successive offenses.

Violations shall be accumulated by all consumers of water from the City of Asheboro water system so long as a declared "water emergency", in any stage, is continuously in effect and until no stage of this section has been in effect for one (1) calendar year. Violations of any of the mandatory restrictions of any stage of a declared "water emergency" under the provisions of this section shall accumulate with violations of the mandatory restrictions of any of the other stages under this section. If a customer of the water system moves or ceases service and subsequently renews service during any of the stages of a declared "water emergency" under this section, the customer's violations shall continue to accumulate as if such move or cessation had not occurred.

(I) Any citation that is issued by authorized personnel under this section and that is enforceable by civil penalties shall be subject to administrative review by the Zoning Administrator of the City of Asheboro or his designee. This administrative review shall occur only when the alleged violator has made a written request for such a review within fifteen (15) calendar days of the issuance of the citation at issue. This written request for administrative review must be hand delivered or sent by certified mail to the Zoning Administrator at his office in City Hall. If a request for administrative review is not received in person by the Zoning Administrator or his designee or postmarked within fifteen (15) calendar days of the date of issuance of a citation, administrative review of the matter shall be deemed to have been waived.

(J) When an alleged violator of the provisions of this section has filed in a timely manner a written request for administrative review that conforms to the provisions of subsection (I) of this section, the Zoning Administrator or his designee shall hold a hearing within thirty (30) calendar days of the date of receipt of the written request for such a hearing. At this hearing, the Zoning Administrator or his designee shall review the violation alleged in the citation and shall provide the alleged violator an opportunity to be heard in response to the allegations alleged in the citation under review. Within five (5) calendar days of the date on which the administrative hearing is held, the Zoning Administrator or his

designee shall render a written decision whereby liability or no liability on the part of the alleged violator is found to exist. Such a decision shall be delivered to the person or entity that filed the request for administrative review by means of hand delivery or certified mail, return receipt requested. Upon receipt of notification of any decision finding liability, the violator shall make payment of any civil penalty incurred within fifteen (15) calendar days. If payment of any civil penalty due is not received within fifteen (15) calendar days following receipt of notice of liability after administrative review, the violator shall be liable for an additional civil penalty of one hundred dollars (\$100.00).

(K) ~~Cases involving any person or entity~~ A water customer that fails to pay ~~any a~~ civil penalty assessed against ~~that person or entity~~ the customer after the later of either thirty (30) calendar days from the date of receipt of a citation ~~alleging liability~~ or the date of receipt of notice finding liability following administrative review ~~shall be referred to the City Attorney for institution of a civil action in the name of the City of Asheboro, in the appropriate division of the General Courts of Justice, for recovery of the penalty~~ have his water disconnected and shall be assessed a disconnect fee of thirty dollars (\$30.00). In order to have his water service restored, the customer will have to pay the past due civil penalty and any other outstanding fees or charges in accordance with Section 50.007(D).

(L) Upon a fourth violation of this section, a violator shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00) as provided by Section 14-4 of the North Carolina General Statutes, and, in addition thereto, such violation may be enjoined and restrained as provided in Section 160A-175 of the North Carolina General Statutes. The issuing of a criminal warrant shall not prohibit the imposition of further civil penalties.

(M) The Director of Water Resources or his designee shall have the authority to discontinue or restrict water service to any person, entity, or structure in the event of any violation of the mandatory restrictions imposed pursuant to this section. With the exception of the imposition of a discontinuance of service pursuant to Subsection (C) of this section, the Director of Water Resources shall provide by the most expeditious means reasonably available a minimum of two (2) working days written notice of his intent to discontinue or restrict water service to a particular person, entity, or structure before such discontinuance or restriction of service is implemented. During the period of the said two (2) day notice, any person or entity claiming the status of an aggrieved party may make a request of the City Manager or his designee to be heard as to why such discontinuance or restriction of water service should not be enforced. If such a request is received by the City Manager or his designee in a timely manner, the requesting party shall be heard by the City Manager or his designee on the said matter as soon as is practicable. Once a matter is scheduled by the City Manager for hearing, the decision of the Director of Water Resources shall be stayed until the City Manager or his designee renders a decision as to the aggrieved party's request. The decision rendered by the City Manager or his design in such a matter shall be final. When water service has been discontinued or restricted pursuant to and in accordance with this subsection, it shall be unlawful to reactivate such service without the permission of the Director of Water Resources.

(N) Each day's continuing violation of this section shall be a separate and distinct criminal and civil offense. Each violation of this section shall be a separate offense even if occurring on the same day.

(O) Termination of any stage of a declared "water emergency" shall be determined and ordered by the City Manager or his designee when he, in direct consultation with the Director of Water Resources or his designee, determines that the water supply available for use by the City of Asheboro water system is no longer so low as to constitute a "water emergency" under the terms of this section. Upon termination of any "water emergency" and any stage thereof, all fines or penalties incurred by any consumer of water from the city's water system shall remain in effect until paid. Upon such termination, discontinued users may have their service restored upon payment of the regular fees charged to customers who have had their water service disconnected. However, no such fees shall be charged to consumers who had their water service discontinued pursuant to subsection (C) of this section.

(P) The provisions of this section shall apply to all such persons or entities using public water both in and outside the city, regardless of whether any such person or entity using water shall have a contract for water service with the City of Asheboro.

(Q) If any subsection, clause, or provision of this section shall be judged invalid, such adjudication shall apply only to such subsection, clause, or provision so adjudged, and the remainder of this section shall be declared valid and effective.

(R) All ordinances and clauses of ordinances in conflict herewith are stayed while any provision of this section is in effect during a declared "water emergency". Such conflicting ordinances and clauses shall become effective upon termination of the "water emergency".

**Section 5.** Section 50.057 of the Code of Asheboro is hereby rewritten to provide as follows:

#### § 50.057 EXTENSIONS TO THE CITY WATER SYSTEM

Extensions to the city water system shall be subject to the following conditions:

(A) The water mains, fixtures and installations and the connection of such system to the city water system, shall conform to the requirements of this chapter and the work shall be done in as full and ample manner as if the system or connection shall be constructed under the supervision, direction and control of the ~~Superintendent of the Waterworks~~ Director of Water Resources at the expense of the applicant;

(B) All repairs to such system, its mains, pipes, connections, fixtures and meters shall be under the control, direction and supervision of the ~~Superintendent of Waterworks~~ Director of Water Resources and shall be made at the expense of the owners or developers during a one-year warranty after completion;

(C) All risks shall be assumed by the applicant and the owners of the property supplied with water and the city shall not be responsible for any damage or injury to persons or property by reason of such water system, its construction, maintenance or repairs;

(D) The city shall not be liable to anyone for failure to supply water or for the character thereof;

(E) The water system together with the fixtures, equipment, easements, rights and privileges pertaining thereto shall become the property of the city whenever the system is completed;

(F) All water mains in such system shall be not less than six inches in diameter, except when a smaller size is recommended by the ~~Superintendent of Waterworks~~ Director of Water Resources or City Engineer and authorized by the City Council;

(G) All extensions to the city water system shall be done in accordance with the city's standard specifications and details and the plans for all pipes, fixtures, meters and equipment connected therewith shall be approved by the City Engineer and the appropriate state agency;

(H) The city reserves the right to discontinue the service to such system or to any connection therewith at any time within its discretion;

(I) Such system and all connections therewith shall be governed by the regulations of the city in force at the time or which shall be in force at any time thereafter.

**Section 6.** Section 50.058 of the Code of Asheboro is hereby rewritten to provide as follows:

§ 50.058 WATER METERS

(A) No water shall be supplied to any consumer outside of the city except through a water meter of a style, pattern and quality approved by the ~~Superintendent of Waterworks~~ Director of Water Resources. The meter shall be furnished and installed, at the expense of the consumer, by the city or under its direction and control, and all repairs shall be made by the city.

(B) Each consumer shall be required to have a separate meter; provided, that one meter may be used for several premises which are the property of the same owner, and he shall agree to pay for all water consumed by the tenants or occupants thereof. In case the ownership of one or more of such premises shall pass to another person, separate meters shall at once be installed.

**Section 7.** Section 50.059 of the Code of Asheboro is hereby rewritten to provide as follows:

§ 50.059 SPRINKLER SYSTEMS REGULATED

With respect to any property outside of the city limits which is equipped with an automatic sprinkler system connected with the city water system, such connection shall be made with the standard fire underwriter's check valves, with gate valve and pressure gauge, arranged for testing the check valves, and such connection shall be made in accordance with specifications furnished by the ~~Superintendent of Waterworks~~ Director of Water Resources and under his supervision. Any connections which do not comply with the aforesaid requirements shall immediately be made to conform hereto. No water passing through the connections made for such purpose shall be used for any purpose other than to operate sprinkler system. In the event of the failure of any person to comply with any provision of this chapter, the city shall, after five days notice, disconnect the premises of such person from the city water system.

**Section 8.** Section 50.080 of the Code of Asheboro is hereby rewritten to provide as follows:

§ 50.080 SEWERS TO BE MAINTAINED IN GOOD REPAIR

Whenever any house sewer, house drain or connection with any main sewer or common drain becomes clogged, broken, out of order or detrimental to the use of the sewer or other drain, or unfit for the purpose of drainage, the owner, agent, occupant or person having charge of any building or premises which is drained through such defective connection, shall, when directed by the ~~Superintendent of Waterworks~~ Director of Water Resources or Building Inspector, within five days after notice in writing, reconstruct or repair such sewer, drain or connection as the condition thereof may require. Each day thereafter that the defective condition shall be permitted to continue shall constitute a separate violation of this section.

**Section 9.** Section 50.111 of the Code of Asheboro is hereby rewritten to provide as follows:

§ 50.111 INDUSTRIAL AND COMMERCIAL PROPERTIES NOT DISCHARGING ALL WATER INTO CITY SEWERS

With respect to all persons using water from the city water supply system for industrial or commercial purposes and the water so used is not discharged into the sewerage system of the city, the quantity of water so used and not discharged into the city sewers shall not be considered when computing the sewer service charge provided for in § 50.110, but shall be paid for at the rate fixed for water service only; provided, that the water used for such industrial or commercial purposes and not discharged into the city sewer system shall be measured by meter or other approved device, or where, in the opinion of the ~~Superintendent of Waterworks~~ Director of Water Resources, it is not practical to install a measuring device to determine the quantity of water not discharged into the city sewers, he shall determine, as water bills are rendered, in such manner and by such method as he may prescribe, the percentage of metered water not discharged into the city sewers, and for such quantities the sewer service charge shall not be charged.

**Section 10.** Section 50.114 of the Code of Asheboro is hereby rewritten to provide as follows:

§ 50.114 METERS AND MEASURING DEVICES

All meters or other measuring devices installed or required to be used under the provisions of this subchapter shall be under the supervision and control of the ~~Superintendent of Waterworks~~ Director of Water Resources and shall be installed and maintained at the cost of the owner of the property. Meters or other devices installed for the purpose of determining the quantity of water not discharged into the city sewers shall be kept in repair, whether repairs are necessitated by ordinary wear and tear or other cause, and bills for repairs made by the city shall be paid by the persons concerned.

**Section 11.** Section 50.115 of the Code of Asheboro is hereby rewritten to provide as follows:

§ 50.115 PROPERTIES NOT RECEIVING WATER FROM ANY CITY SOURCE

All persons using water from a source other than the city water supply system or using water sold by the city, and who own property connected to the city sewer system, shall pay a sewer service charge of 100% of the amount of the charges for water as if the water had been furnished by the city. The owner of any such property or his legal representative, except as hereinafter provided, shall install and maintain without cost to the city a meter or meters to measure the quantity of water received from any such source and discharged into the city sewers. Such meter or meters shall be installed only under the supervision of and in accordance with the plans and specifications of the city. Whenever in the opinion of the ~~Superintendent of Waterworks~~ Director of Water Resources, it is not practical or is unduly expensive to install meters or measuring devices, as aforesaid, he shall estimate and determine, in such manner and by such method as he may prescribe, the quantity of water received from any source other than the city water supply system or water sold by the city and which is discharged into the city sewer system.

**Section 12.** All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

**Section 13.** This ordinance shall take effect and be in force from and after January 1, 2008.

Adopted by the Asheboro City Council in regular session on the 8<sup>th</sup> day of November, 2007.

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

ATTEST:

s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

**17. Consideration of an ordinance amending Chapter 130 (Offenses against Public Peace and Safety) of the Code of Asheboro.**

Mr. Sugg presented and recommended adoption, by reference, of the aforementioned ordinance.

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

58 ORD 11-07

**AN ORDINANCE ENACTING SECTION 130.07 OF THE CODE OF ASHEBORO**

**WHEREAS**, the city's director of parks and recreation has noted a problem with individuals riding all-terrain vehicles on city-owned park lands; and

**WHEREAS**, in addition to the damage that these vehicles can cause to the city's real property, these all-terrain vehicles also disturb the peace for some of the residents whose dwellings adjoin the sections of the parks where this riding of all-terrain vehicles is occurring.

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

**Section 1.** Chapter 130 of the Code of Asheboro is hereby amended by adding a new section to read:

§ 130.07 ALL-TERRAIN VEHICLES PROHIBITED ON CITY-OWNED LANDS

(A) The act of operating any motorized all-terrain vehicle on city-owned real property is hereby prohibited and declared to be unlawful.

(B) A "motorized all-terrain vehicle", as used in this section, is a two or more wheeled vehicle designed for recreational off-road use.

(C) This section is not applicable to employees and contractors of the City of Asheboro, law enforcement officers, firefighters, rescue personnel, emergency medical services personnel, and emergency management personnel acting in the course and scope of their official duties.

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

**Section 3.** This ordinance shall become effective upon adoption.

Adopted by the Asheboro City Council in regular session on the 8<sup>th</sup> day of November, 2007.

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

ATTEST:

s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

**18. Consideration of an ordinance repealing Chapter 152 (City of Asheboro Soil Erosion and Sedimentation Control Ordinance) of the Code of Asheboro.**

Mr. Sugg presented and recommended adoption, by reference, of the aforementioned ordinance.

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

59 ORD 11-07

**AN ORDINANCE REPEALING CHAPTER 152 OF THE CODE OF ASHEBORO**

**WHEREAS**, the City of Asheboro Soil Erosion and Sedimentation Control Ordinance is codified as Chapter 152 of the Code of Asheboro; and

**WHEREAS**, due to the city's determination in February 2006 that the North Carolina Department of Environment and Natural Resources was better equipped than the city to effectively implement a soil erosion and sedimentation control program, the city manager requested, in a letter dated February 27, 2006, that the Land Quality Section in the Division of Land Resources of the North Carolina Department of Environment and Natural Resources assume control of the city's local soil erosion and sedimentation control program; and

**WHEREAS**, the Land Quality Section in the Division of Land Resources has assumed responsibility for enforcing soil erosion and sedimentation control regulations within the corporate limits of the City of Asheboro; and

**WHEREAS**, no enforcement actions are pending under the City of Asheboro Soil Erosion and Sedimentation Control Ordinance, and all on-going land disturbing activities are subject to regulation by the Land Quality Section on the basis of the North Carolina General Statutes and administrative regulations adopted by the appropriate state agencies; and

**WHEREAS**, the Asheboro City Council has concluded that the City of Asheboro Soil Erosion and Sedimentation Control Ordinance should be repealed.

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

**Section 1.** The City of Asheboro Soil Erosion and Sedimentation Control Ordinance is hereby repealed, and Chapter 152 of the Code of Asheboro is reserved for future use.

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

**Section 3.** This ordinance shall become effective upon adoption.

Adopted by the Asheboro City Council in regular session on the 8<sup>th</sup> day of November, 2007.

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

ATTEST:

\_\_\_\_\_  
s/ Holly H. Doerr  
Holly H. Doerr, City Clerk

**19. Distribution of a proposed ordinance to regulate the operation of the rotation wrecker list utilized by the Asheboro Police Department.**

Mr. Sugg presented the above-referenced ordinance for Council's review and comment. Mr. Moffitt suggested that the insurance requirements be increased. This ordinance will be presented for Council's formal consideration during the Council's regular December meeting.

**21. Distribution of a revised proposal to amend the Minimum Housing Code.**

Mr. Sugg reported that he has asked Mr. Edsel Brown in the Planning Department to conduct further research into the precise deficiencies that need to be addressed in the Minimum Housing Code. When this research is completed, the Council will receive a report on the findings.

**22. Upcoming Events:**

- Veteran's Day Parade – November 11, 2007 at 2:30 p.m.
- SCORE Luncheon – November 15, 2007 at 12:00 p.m.
- Annual Christmas Parade – December 7, 2007 at 7:00 p.m.
- "Christmas on Sunset" – December 14, 2007 at 6:00 p.m.

There being no further business, the meeting was adjourned at 10:08 p.m.

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Holly H. Doerr, City Clerk

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David H. Jarrell, Mayor