

**NOTICE OF A SPECIAL MEETING OF THE  
ASHEBORO CITY COUNCIL**

**Tuesday, March 29, 2011**

**12:30 p.m.**

Notice of a special meeting of the Asheboro City Council is hereby given. This meeting will be held on Tuesday, the 29<sup>th</sup> day of March, 2011, at 12:30 p.m. in the Council Chamber of the Asheboro Municipal Building, 146 North Church Street, Asheboro, North Carolina 27203.

This special meeting has been called for the purpose of allowing Mayor Smith and members of the Asheboro City Council to consider and act upon a resolution authorizing the execution of an installment financing contract between RBC Bank (USA) as the lender and the City of Asheboro for a loan amount of eight hundred twenty-two thousand eight hundred thirty-four and 53/100 dollars (\$822,834.53).

This notice is issued on the 23<sup>rd</sup> day of March, 2011, in accordance with the laws and ordinances of the State of North Carolina and the City of Asheboro.

s/ David H. Smith  
David H. Smith, Mayor  
City of Asheboro, North Carolina

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**SPECIAL MEETING  
ASHEBORO CITY COUNCIL  
COUNCIL CHAMBER, MUNICIPAL BUILDING  
TUESDAY, March 29, 2011  
12:30 p.m.**

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

- David H. Smith ) – Mayor Presiding
- Talmadge S. Baker )
- Clark R. Bell )
- Edward J. Burks ) – Council Members Present
- Linda H. Carter )
- Stuart B. Fountain )
- Michael W. Hunter )
- Walker B. Moffitt )
- John N. Ogburn, III, City Manager
- Dumont Bunker, P.E., City Engineer
- Tamela D. Garner, Permits Technician/Deputy City Clerk
- Justin T. Luck, Planner
- R. Reynolds Neely, Jr., Community Development Director
- Deborah P. Reaves, Finance Director
- Jeffrey C. Sugg, City Attorney

**1. Call to order.**

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

**2. Presentation of resolution**

Deborah Reaves presented a resolution that would authorize city staff consisting of Mr. Ogburn and Mrs. Reaves, in consultation with the city attorney, to negotiate an installment financing agreement with RBC Bank (USA) in furtherance of the intention stated in the budget ordinance adopted for fiscal year 2010-2011 to utilize loan proceeds for the acquisition of vehicles and equipment. After going through a bid process, RBC Bank was found to have the most favorable

rate. Mrs. Reaves will present the proposed contract to the council at the next council meeting on Thursday, April 7<sup>th</sup>, 2011, for final approval.

Upon a motion by Mr. Bell, and second by Mrs. Carter, Council voted unanimously in favor of adopting the following resolution by reference.

**11 RES 3-11**

**RESOLUTION AUTHORIZING CITY STAFF TO NEGOTIATE AN INSTALLMENT FINANCING CONTRACT AND RELATED INSTRUMENTS WITH RBC BANK (USA)**

**WHEREAS**, in order to maintain a satisfactory level of service for the citizens of the City of Asheboro, the city has acquired, during the current fiscal year, several motor vehicles (hereinafter collectively referred to as the "Equipment") that are more specifically described as follows: eleven (11) police vehicles, three (3) heavy duty trucks for the environmental services department, three (3) utility trucks for the facilities maintenance department, and one (1) vehicle for the operations department; and

**WHEREAS**, in accordance with the budget ordinance adopted for fiscal year 2010-2011, the city entered the current fiscal year with the intention of financing the purchase of the Equipment, and the execution of an installment financing contract was to be scheduled before the end of the 2010-2011 fiscal year; and

**WHEREAS**, Section 160A-20 of the North Carolina General Statutes authorizes the city to finance the purchase of personal property by means of an installment contract that creates a security interest in the property to secure payment of the purchase price to the entity supplying financing for the purchase of equipment; and

**WHEREAS**, after searching for favorable financing rates and terms, the city manager and the finance director have recommended the negotiation of and entry into an installment financing contract with RBC Bank (USA); and

**WHEREAS**, the Asheboro City Council has concluded that the negotiation of an installment financing agreement with RBC Bank (USA) is consistent with the adopted budget ordinance for fiscal year 2010-2011 and is consistent with the best interests of the City of Asheboro;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro that the city manager and finance director, in consultation with the city attorney, are hereby directed to negotiate a financing agreement with RBC Bank (USA) that is consistent with above-stated recitals; and

**BE IT FURTHER RESOLVED** that a draft of the proposed agreement shall be submitted to this governing board for final approval prior to the execution of the financing instrument by city officials.

This resolution was adopted by the Asheboro City Council in open session during a special meeting that was held on the 29<sup>th</sup> day of March, 2011.

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s/ David H. Smith  
David H. Smith, Mayor  
City of Asheboro, North Carolina

ATTEST:

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s/ Tamela D. Garner  
Tamela D. Garner, Deputy City Clerk  
City of Asheboro, North Carolina

There being no further business the meeting was adjourned at 12:40 p.m.

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

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s/ David H. Smith  
David H. Smith, Mayor