

**REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, MUNICIPAL BUILDING
THURSDAY, APRIL 7, 2016
7:00 p.m.**

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

David H. Smith) – Mayor Presiding

Clark R. Bell)
Edward J Burks)
Linda H. Carter) – Council Members Present
Walker B. Moffitt)
Jane H. Redding)
Charles A. Swiers)

Katie L. Snuggs) – Council Member Absent

John N. Ogburn, III, City Manager
Holly H. Doerr, CMC, NCCMC, City Clerk
David J. Hutchins, Public Works Director
Michael L. Leonard, P.E., City Engineer
Mark T. Lineberry, Police Major
Justin T. Luck, Zoning Administrator/Planner
Trevor L. Nuttall, Community Development Director
Deborah P. Reaves, Finance Director
Michael D. Rhoney, P.E., Water Resources 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. Council Member Bell was not present when Mayor Smith called the meeting to order, but Mr. Bell arrived at the meeting before the conclusion of item number 2. Council Member Bell missed no votes taken by the council.

2. Silent prayer and pledge of allegiance.

After a moment of silence was observed in order to allow for private prayer or meditation, Mayor Smith asked everyone to stand and say the pledge of allegiance.

3. Presentation of a proclamation recognizing April 16, 2016 as National Auctioneers Day in Asheboro.

Council Member Eddie Burks presented a proclamation to Ms. Lisa York, who is a National Auctioneers Association Ambassador, with a proclamation recognizing April 16, 2016 as National Auctioneers Day in Asheboro.

A copy of the proclamation is on file in the city clerk's office.

3. Consent agenda:

Prior to the adoption of the consent agenda, Mr. Ogburn noted that consent agenda item (d) (ii) should be corrected to reflect that, contrary to the meeting agenda's reference to a Water and Sewer Fund Amendment, the actual item provided to the Council Members for approval was an ordinance titled "Ordinance to Amend the Asheboro Housing Development Fund (#62) FY 2015-2016."

Upon motion by Ms. Carter and seconded by Mr. Bell, Council voted unanimously to approve/adopt, as presented, the following consent agenda items. Council members Bell, Burks, Carter, Moffitt, Redding, and Swiers voted in favor of the motion.

- (a) The minutes of the city council's special meeting on February 25, 2016.**
- (b) The minutes of the city council's regular meeting on March 10, 2016.**

- (c) Acknowledgement of the receipt of the minutes of the Asheboro ABC Board's meeting on February 1, 2016.
- (d) Ordinances submitted by the Finance Department:
 - (i) Ordinance to amend the General Fund.

06 ORD 4-16

ORDINANCE TO AMEND THE GENERAL FUND FY 2015-2016

WHEREAS, The City Council of the City of Asheboro desires to amend the budget as required by law to adjust for changes in expenditures in comparison to the current fiscal year adopted budget, and;

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

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

Section 1: That the following Expense line item be increased / (decreased):

<u>Account #</u>	<u>Expense Description</u>	<u>increase / (decrease)</u>
10-440-4400	Contracted Services	4,000
10-440-5500	Tax Refunds	41,000
10-510-5800	Workers compensation	(60,000)
10-575-7400	Capital Outlay	13,500
10-575-0210	Salaries & Wages PT	1,500
	Increase / (Decrease)	0

Adopted this 7th day of April, 2016.

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

ATTEST:

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

- (ii) Ordinance to amend the Housing Development Fund.

07 ORD 4-16

ORDINANCE TO AMEND THE ASHEBORO HOUSING DEVELOPMENT FUND (#62) FY 2015-2016

WHEREAS, the North Carolina Housing Finance Agency has approved a \$50,000 grant for 2015 Urgent Repair Program with a \$5,000 match from the City of Asheboro, and;

WHEREAS, the City Council has consistently planned and invested in community revitalization using founded urban design and strategic planning methods, and;

WHEREAS, revenues and expenses in the Asheboro Housing Development Fund have changed over time in relation to the current budget, and;

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

THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro, North Carolina that following revenue and expense line items are changed as follows:

Section 1: Revenues

<u>Account #</u>	<u>Revenue Description</u>	<u>Increase</u>
62-300-0000	General Fund Contribution	5,000
62-320-0000	Urgent Repair Grant	<u>50,000</u>
		55,000

Section 2: Expenses

<u>Account #</u>	<u>Revenue Description</u>	<u>Increase</u>
62-600-0001	Professional Services	5,000
62-600-0002	Construction	<u>50,000</u>
		55,000

Adopted this the 7th day of April 2016.

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

ATTEST:

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

(iii) Ordinance to amend the Economic Development Fund.

08 ORD 4-16

ORDINANCE TO AMEND THE ECONOMIC DEVELOPMENT FUND FY 2015-2016

WHEREAS, the needs of the City of Asheboro have evolved as the economic environment has changed over the last decade, and;

WHEREAS, historically, the term "Economic Development" for the City of Asheboro City Council meant a) support of agency efforts that promote the City of Asheboro and b) financial incentive support to expanding industries that are committed to job development and c) water & sewer infrastructure expansion projects, and;

WHEREAS, the City of Asheboro City Council, the Randolph County Board of Commissioners, and the Randolph County Economic Development Corporation have all identified the need for "shovel ready" industrial sites, and;

WHEREAS, these "shovel ready" industrial sites should have water, wastewater, broadband communications and natural gas services at the site, and;

WHEREAS, these "shovel ready" industrial sites should have ease of access to the interstate highway system, and;

WHEREAS, the extension of New Century Drive to Veterans Loop Road would create "shovel ready" industrial sites that have water, wastewater, broadband communications and natural gas services at the site, as well as ease of access to the interstate highway system, and;

WHEREAS, POST MOM Brands has advised the City of Asheboro that they will not be asking for their economic incentive payment for 2015-2016, and;

WHEREAS, the City of Asheboro City Council wishes to financially participate in this project by reallocating the \$197,500 the City Council has appropriated to POST MOM Brands to construct the New Century Drive Extension, and;

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

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

The Planning Board recommended approval of the requested rezoning after concurring with the following analysis from the Community Development staff that evaluated the consistency of the requested rezoning with the adopted comprehensive plans, the reasonableness of the request, and whether the requested rezoning was in the public interest:

“The requested amendment (rezoning the property from R15 Low-Density Residential to B2 General Commercial) is consistent with the Land Development Plan because the proposed land use map designates the property as ‘Commercial,’ and the Central Small Area Plan proposes accommodating existing commercial uses and allowing some future commercial uses.

The requested rezoning to B2 is also reasonable and in the public interest because the B2 district is appropriate to the property’s context. First, rezoning the portion of the property that is currently zoned R15 to B2 will allow uniform use of a parcel in which the majority is already commercially zoned. Second, the parcel is located along an established commercial corridor (East Dixie Drive), the majority of which is also designated for commercial use by the Land Development Plan. Third, the property’s location in the primary growth strategy area (with access to city services) and away from major environmental limitations, such as flood hazard areas or watershed areas, are conducive to commercial development characterized by the B2 district. Finally the review process required for future development will ensure that buffering/screening and other requirements help mitigate potential impacts of commercial property onto adjoining residentially zoned property.”

On behalf of the Applicants, Mr. Ben C. Morgan, Esq. presented comments in support of the requested rezoning.

There being no further comments and no opposition from the public, Mayor Smith transitioned to the deliberative phase of the hearing.

Upon motion by Mr. Bell and seconded by Ms. Carter, council voted unanimously to approve the requested rezoning by adopting a multi-part motion that included the following actions:

1. Approval and adopted as its own the above-stated analysis in support and explanation of the council’s conclusion that the requested action is consistent with the applicable plans, and is reasonable and in the public interest.
2. In light of the above-stated plan, consistency, reasonableness, and public interest determinations/statements, the requested zoning amendment was approved without any modifications.

Council members Bell, Burks, Carter, Moffitt, Redding, and Swiers voted in favor of the motion.

A copy of the visual presentation utilized by Mr. Nuttall is on file in the city clerk’s office.

6. Public hearing on an annexation petition from Habitat for Humanity for the annexation of 0.63 of an acre of land located at 832 Peachtree Street.

Mayor Smith opened the public hearing on the request for annexation of 0.63 of an acre of land located at 832 Peachtree Street.

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

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

Upon motion by Mr. Burks and seconded by Mr. Swiers, council voted unanimously to adopt the following ordinance by reference. Council members Bell, Burks, Carter, Moffitt, Redding, and Swiers voted in favor of the motion.

ORDINANCE NO. _____ 09 ORD 4-16

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

AN ORDINANCE TO EXTEND THE ASHEBORO CITY LIMITS BY ANNEXING INTO THE CITY APPROXIMATELY 0.63 OF AN ACRE OF LAND THAT IS LOCATED AT 832 PEACHTREE STREET AND IS CONTIGUOUS WITH THE EXISTING PRIMARY CITY LIMITS FOR THE CITY OF ASHEBORO

WHEREAS, pursuant to Section 160A-31 of the North Carolina General Statutes, a petition requesting annexation by the City of Asheboro of the territory described in Section 1 of this Ordinance was presented to the Asheboro City Council on March 10, 2016; and

WHEREAS, this petition for annexation was signed on behalf of Habitat for Humanity of Randolph County, N.C., Inc., which is the owner of the parcel of land described in Section 1 of this Ordinance, by authorized officers of the non-profit corporation; and

WHEREAS, by means of a duly adopted resolution (Resolution Number 04 RES 3-16), the Asheboro City Council directed the city clerk to investigate the sufficiency of the petition, and the clerk has certified the sufficiency of the said petition; and

WHEREAS, pursuant to Asheboro City Council Resolution Number 05 RES 3-16, notice was published to the public on the 24th day of March, 2016, in *The Courier-Tribune*, a newspaper having general circulation in the City of Asheboro, setting forth that a public hearing would be held during the Asheboro City Council's regular April meeting, which would begin at 7:00 o'clock p.m., on the 7th day of April, 2016, in the Council Chamber at Asheboro City Hall, to consider the adoption of an ordinance annexing the described area into the City of Asheboro; and

WHEREAS, the said public hearing was held, as advertised, on the 7th day of April, 2016; and

WHEREAS, the Asheboro City Council has determined that the annexation petition meets the requirements of Section 160A-31 of the North Carolina General Statutes;

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

Section 1. By virtue of the authority granted in Section 160A-31 of the North Carolina General Statutes, the following described area is hereby annexed and made part of the City of Asheboro, North Carolina:

Asheboro Township, Randolph County, North Carolina:

BEGINNING on the existing primary city limits line for the City of Asheboro at a 5/8" new iron rod that is 6" up at the southeast corner of the Habitat for Humanity of Randolph County property described in Deed Book 2458, Page 1047, Randolph County Public Registry (this parcel of land is proposed for annexation and shall be hereinafter referred to as the "Annexation Parcel"), the said beginning point is South 70 degrees 42 minutes 48 seconds West 8.59 feet from a 1" existing iron pipe flush with the ground that is located by means of the North Carolina Coordinate System at the coordinates of North 717,785.87 feet and East 1,756,009.36 feet (NAD 83); thence from the said beginning point and following the existing primary city limits line by proceeding South 70 degrees 42 minutes 49 seconds West 56.44 feet along the southern boundary line for the Annexation Parcel to a 5/8" existing iron rod that is 1" up; thence continuing to follow the existing primary city limits line and the southern boundary line of the Annexation Parcel the following courses and distances: South 70 degrees 42 minutes 57 seconds West 65.00 feet to a 5/8" existing iron rod 1" up; thence South 70 degrees 27 minutes 18 seconds West 39.70 feet to a 5/8" existing iron rod 1" down at the southwest corner of the Annexation Parcel; thence departing from the boundary line for the Annexation Parcel and proceeding along the existing primary city limits across the 60-foot public right-of-way for Peachtree Street (North Carolina Secondary Road 1484) the following course and distance: North 87 degrees 55 minutes 07 seconds West 60.00 feet to a point not set on the western margin of the public right-of-way for Peachtree Street; thence along the western margin of the public right-of-way for Peachtree Street, which is also the proposed new primary city limits line, the following course and distance: North 02 degrees 04 minutes 53 seconds East 151.60 feet to a point not set; thence along the proposed new primary city limits line and across the public right-of-way for Peachtree Street South 88 degrees 00 minutes 06 seconds East 60.00 feet to a 1/4" existing iron pipe 1" down in the eastern margin of the public right-of-way for Peachtree Street and located at the northwest corner of the Annexation Parcel (the said 1/4" existing iron pipe is located by means of the North Carolina Coordinate System at the coordinates of North 717,881.22 feet and East 1,755,854.73 feet (NAD 83)); thence proceeding along the northern boundary line of the Annexation Parcel, which is also the proposed new primary city limits line, the following course and distance: South 88 degrees 00 minutes 06 seconds East 149.94 feet to a 3/4" existing iron pipe flush with the ground at the northeast corner of the Annexation Parcel, this existing iron pipe is located by means of the North Carolina Coordinate System at the coordinates of North 717,875.99 feet and East 1,756,004.56 feet (NAD 83); thence continuing along the proposed new primary city limits line by following the shared boundary line between the Annexation Parcel and the Mary Frances Overman and Joseph Aaron Clark property described in Deed Book 2434, Page 887, Randolph County Public Registry the following courses and distances: South 01 degree 46 minutes 27 seconds West 61.94 feet to a 3/4" existing iron pipe 3" down; thence South 02 degrees 35 minutes 34 seconds West 31.09 feet to the point and place of BEGINNING, and containing a total of 27,452 square feet (0.63 of an acre) of land, more or less, to be annexed.

The above-listed description is in accordance with a plat of survey entitled "ANNEXATION PLAT SURVEY FOR HABITAT FOR HUMANITY OF RANDOLPH COUNTY" that was drawn under the supervision of Charles E. Morgan, Jr., Professional Land Surveyor with Registration Number L-3945. The

job number listed on the plat is 7474, and the said plat of survey's title block bears the date of February 25, 2016.

Section 2. Upon and after June 30, 2016, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Asheboro and shall be entitled to the same privileges and benefits as other parts of the City of Asheboro. Said territory shall be subject to municipal taxes according to Section 160A-58.10 of the North Carolina General Statutes.

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

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

Section 5. This Ordinance shall be in full force and effect upon and after the 30th day of June, 2016.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 7th day of April, 2016.

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

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk
City of Asheboro, North Carolina

Approved as to form:

/s/Jeffrey C. Sugg
Jeffrey C. Sugg, City Attorney
City of Asheboro, North Carolina

7. Public comment period.

Mayor Smith opened the floor for public comments and none were offered.

In the absence of any comments, Mayor Smith closed the public comment period.

8. Presentation of an analysis, including certain recommendations, pertaining to the bids received for the supply of five chemicals to the water and wastewater treatment plants.

Mr. Rhoney presented the bid tabulation for five chemicals needed for operations at the Water and Wastewater Treatment Plants from April 16, 2016 to April 15, 2017. Eleven (11) bid packages were received on March 15, 2016. Mr. Rhoney recommended that contracts should be awarded to the lowest responsive and responsible bidders to supply the city's needs for four chemicals from April 16, 2016 to April 15, 2017 as indicated below:

<u>Chemical</u>	<u>Company</u>	<u>Price</u>
Liquid Alum	Univar, USA, Inc.	\$254.00/Ton
Liquid Caustic	JCI Chemicals	\$408.00/Ton
Fluosilicic Acid	Univar, USA, Inc.	\$367.45/Ton
Sodium Hypochlorite	Univar, USA, Inc.	\$0.5700/Gal

Upon motion by Mr. Bell and seconded by Mr. Burks, council voted unanimously to award the contracts as listed immediately above. Council members Bell, Burks, Carter, Moffitt, Redding, and Swiers voted in favor of the motion.

Additionally, Mr. Rhoney recommended to the council that all of the bids that were received for Calcium Nitrate be rejected and rebid due to miscalculation issues. Upon motion by Mr. Moffitt and seconded by Mr. Swiers, council voted unanimously to reject all of the bids for Calcium Nitrate. Council Members Bell, Burks, Carter, Moffitt, Redding, and Swiers voted in favor of the motion.

The bid summary and tabulation sheet listing all eleven (11) bid packages that were received are on file in the city clerk's office.

9. Discussion of the city's selection as a finalist for the All-America City Award and the next steps in the process.

Mr. Justin Luck, the city's Zoning Administrator/Planner, discussed Asheboro's selection as a finalist for the All-America City Award. During June 16-19, 2016, a group from the community will travel to Denver, Colorado in order to make a presentation highlighting Asheboro. The All-America City Award designees will be announced on Sunday, June 19, 2016.

Ms. Tammy O'Kelley, who is the Randolph County Tourism Development Authority Executive Director, spoke of the benefits of the All-America City designation for enhanced travel and tourism activities. Consequently, Ms. O'Kelley offered her support and encouragement to the city's efforts to obtain the All-America City designation.

A copy of the visual presentation utilized by Mr. Luck is on file in the city clerk's office.

10. Presentation of the reorganization plan regarding changes in the Street and Environmental Services Departments.

Mr. David Hutchins, the city's Public Works Director, utilized a visual presentation in order to update the council on the reorganization impacting the Street and Environmental Services Departments. With this reorganization plan, the Street Department and the Environmental Services Department will be merged into one department, the Public Services Department. Added efficiencies that will enhance service and reduce costs is the goal of this merger.

Additionally, Mr. Hutchins highlighted the revised Public Services Collection Schedule. A copy of the schedule is included with the visual presentation on file in the city clerk's office.

The Mayor and Council Members expressed their general support for this reorganization undertaken within the city's public works division. No formal action was taken by the governing board.

11. Report on the N.C. Department of Transportation Division of Aviation funding for the construction of a new terminal building at the Asheboro Regional Airport.

Mr. Leonard reported that the N.C. Department of Transportation Division of Aviation has notified city staff that funds, in the amount of \$562,500 are reserved for the Asheboro Regional Airport, Project Request No. 3047 for fiscal year 2016-2017. Specifically, the funding will be used for the construction of a new terminal building at the airport. Mr. Leonard will update the council as more information becomes available.

A copy of the notification letter from the N.C. Department of Transportation Division of Aviation is on file in the city clerk's office.

12. Presentation of the Government Finance Officers Association Award for excellence in financial reporting to Finance Director Deborah Reaves.

Mayor Smith recognized Ms. Deborah Reaves, the city's Finance Director, for receiving an award from the Government Finance Officers Association for excellence in financial reporting.

13. Mayor Smith announced the following upcoming events:

- Annual Wellness Fair on Wednesday, April 13, 2016 from 10:30 a.m. until 2:00 p.m. at the City of Asheboro Public Works Facility.
- City Council workshop on Thursday, April 21, 2016 at 5:30 p.m. at the City of Asheboro Public Works Facility.
- Identity Theft Prevention Program Committee meeting on Wednesday, April 27, 2016 at 9:00 a.m. in the City Council Chamber of the Asheboro Municipal Building.
- The Asheboro/Randolph Chamber of Commerce *No Tie Affair* on Saturday, April 30, 2016 from 6:00 p.m. until 10:00 p.m. at the N.C. Zoo Solar Point Plaza.
- The Mayor's Prayer Breakfast on Thursday, May 5, 2016 at 6:45 a.m. at AVS Banquet Center.

There being no further business, the meeting was adjourned at 8:04 p.m.

/s/Holly H. Doerr

/s/David H. Smith

Holly H. Doerr, CMC, NCCMC, City Clerk

David H. Smith, Mayor