

**REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, MUNICIPAL BUILDING
THURSDAY, APRIL 10, 2014
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 staff members presented:

David H. Smith) – Mayor Presiding

Talmadge S. Baker)
Clark R. Bell)
Edward J. Burks)
Linda H. Carter) – Council Members Present
Michael W. Hunter)
Walker B. Moffitt)
Charles W. Swiers)

John N. Ogburn, III, City Manager
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
David J. Hutchins, Public Works Director
Leigh Anna Johnson, Public Information Officer
Michael L. Leonard, P.E., City Engineer
Ralph W. Norton, Chief of Police
Trevor L. Nuttall, Community Development Director
Deborah P. Reaves, Finance Director
James O. Smith, Police Captain
Jeffrey C. Sugg, City Attorney
Jody P. Williams, Assistant Chief of Police

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. Silent prayer and pledge of allegiance.

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

3. Consent Agenda:

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

- (a) The minutes of the City Council's special meeting on February 20, 2014.**
- (b) The minutes of the City Council's regular meeting on March 6, 2014.**
- (c) The receipt of the minutes of the Asheboro ABC Board's meetings on February 3, 2014 and March 3, 2014.**

[Copies of the documents received from the Asheboro ABC Board are on file in the City Clerk's office.]

- (d) The award of contracts for the supply of chemicals to the City of Asheboro Water and Wastewater Treatment Plants for the period from April 16, 2014 to April 15, 2015 to the following vendors:**

- Bid by Chemtrade Chemicals U.S., LLC to supply liquid alum at \$285.00/ton.**
- Bid by UNIVAR USA to supply liquid caustic at \$430.00/ton.**
- Bid by Key Chemicals, Inc. to supply fluosilicic acid at \$429.00/ton.**
- Bid by JCI Jones Chemicals to supply sodium hypochlorite at \$0.57/gallon.**

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

(e) Budget ordinances:

(i) Ordinance to amend the general fund.

04 ORD 4-14

ORDINANCE TO AMEND THE GENERAL FUND FY 2013-2014

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 Revenue line item be increased / (decreased):

<u>Account #</u>	<u>Description</u>	<u>increase / (decrease)</u>
10-350-0200	US Justice Funds DEA	427,000
10-399-0000	Fund Balance Allocation	726,233
Total Increase / Decrease		1,153,233

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

<u>Account #</u>	<u>Expense Description</u>	<u>increase / (decrease)</u>
10-420-0800	Unemployment Insurance 2013-2014	68
10-440-0800	Unemployment Insurance 2013-2014	851
10-450-0800	Unemployment Insurance 2013-2014	690
10-480-0800	Unemployment Insurance 2013-2014	805
10-490-0800	Unemployment Insurance 2013-2014	1,668
10-510-0800	Unemployment Insurance 2013-2014	21,236
10-530-0800	Unemployment Insurance 2013-2014	12,845
10-540-0800	Unemployment Insurance 2013-2014	532
10-545-0800	Unemployment Insurance 2013-2014	920
10-550-0800	Unemployment Insurance 2013-2014	3,106
10-555-0800	Unemployment Insurance 2013-2014	4,137
10-565-0800	Unemployment Insurance 2013-2014	5,368
10-575-0800	Unemployment Insurance 2013-2014	900
10-580-0800	Unemployment Insurance 2013-2014	4,650
10-585-0800	Unemployment Insurance 2013-2014	224
10-590-0800	Unemployment Insurance 2013-2014	1,267
10-615-0800	Unemployment Insurance 2013-2014	528
10-620-0800	Unemployment Insurance 2013-2014	3,115
10-625-0800	Unemployment Insurance 2013-2014	537
10-640-0800	Unemployment Insurance 2013-2014	5,643
10-410-5800	Workers Compensation Insurance	10
10-440-5800	Workers Compensation Insurance	253
10-550-5800	Workers Compensation Insurance	5,000
10-585-5800	Workers Compensation Insurance	45
10-590-5800	Workers Compensation Insurance	502
10-410-0704	Fringe- Insurance	7,333
10-420-0704	Fringe- Insurance	1,833
10-440-0704	Fringe- Insurance	2,750
10-450-0704	Fringe- Insurance	1,833
10-480-0704	Fringe- Insurance	1,000
10-490-0704	Fringe- Insurance	6,417
10-510-0704	Fringe- Insurance	87,083
10-530-0704	Fringe- Insurance	49,500
10-540-0704	Fringe- Insurance	2,750
10-545-0704	Fringe- Insurance	2,750
10-550-0704	Fringe- Insurance	10,083
10-555-0704	Fringe- Insurance	17,417
10-565-0704	Fringe- Insurance	20,167
10-575-0704	Fringe- Insurance	3,667
10-580-0704	Fringe- Insurance	20,167
10-585-0704	Fringe- Insurance	917
10-590-0704	Fringe- Insurance	4,583

10-615-0704	Fringe- Insurance	1,833
10-620-0704	Fringe- Insurance	8,250
10-625-0704	Fringe- Insurance	1,833
10-640-0704	Fringe- Insurance	20,167
10-510-3500	Small Equipment	387,000
10-510-7400	Capital Outlay	40,000
10-580-7400	Capital Outlay	247,000
10-615-8100	Principal on Debt	42,000
10-615-8200	Interest on Debt	1,800
10-620-0400	Professional Services	30,000
10-620-1503	Maintenance & Repair- bldg	6,000
10-620-1507	Maintenance & Repair- bldg	3,200
10-630-1501	Maintenance & Repair- bldg	38,000
10-640-1504	Maintenance & Repair -bldg	11,000
	Increase / (Decrease)	1,153,233

Adopted this 10th day of April, 2014.

/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 water & sewer fund.

05 ORD 4-14

ORDINANCE TO AMEND THE WATER & SEWER FUND FY 2013-2014

WHEREAS, The City Council of the City of Asheboro desires to amend the budget as required by law to adjust for changes in revenues and 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 Revenue line item be increased (decreased):

<u>Account #</u>	<u>Expense Description</u>	<u>increase / (decrease)</u>
30-385-0100	Proceeds from Lease Purchase	(1,757,000)
30-399-0000	Fund Balance Allocation	92,773
	Increase / Decrease	(1,664,227)

Section 2: That the following Expense line item be increased (decreased):

<u>Account #</u>	<u>Expense Description</u>	<u>increase / (decrease)</u>
30-720-0800	Unemployment insurance 2013-2014	932
30-810-0800	Unemployment insurance 2013-2014	1,585
30-820-0800	Unemployment insurance 2013-2014	1,892
30-830-0800	Unemployment insurance 2013-2014	2,985
30-840-0800	Unemployment insurance 2013-2014	2,186
30-850-0800	Unemployment insurance 2013-2014	3,521
30-860-0800	Unemployment insurance 2013-2014	658
30-870-0800	Unemployment insurance 2013-2014	2,544
30-880-0800	Unemployment insurance 2013-2014	1,470
30-820-5800	Workers Compensation Insurance	1,000
30-720-0704	Fringe- Insurance	4,000
30-810-0704	Fringe- Insurance	8,000
30-820-0704	Fringe- Insurance	8,000
30-830-0704	Fringe- Insurance	12,000
30-840-0704	Fringe- Insurance	9,000

30-850-0704	Fringe- Insurance	15,000
30-860-0704	Fringe- Insurance	2,000
30-870-0704	Fringe- Insurance	11,000
30-880-0704	Fringe- Insurance	5,000
30-830-0400	Professional Services	32,000
30-820-4500	Contracted Services	(757,000)
30-830-7400	Capital Outlay	(1,000,000)
	Transfer to Project 72	
30-830-7200	(Economic Development Fund)	(32,000)
	Increase / Decrease	(1,664,227)

Adopted this 10th day of April, 2014.

/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 Sunset Theatre capital project fund.

06 ORD 4-14

ORDINANCE TO AMEND SUNSET THEATRE PROJECT (FUND #67) FY 2013-2014

WHEREAS, the current adopted budget for the Sunset Theatre Project is in the amount of \$2,748,570, and;

WHEREAS, the budget as adopted requires amendment relating to accounting for additional campaign contributions received, payment of debt service in the General Operating Fund instead of payment in the project fund and changes in expenditures associated with the purchase of furnishings, audio visual equipment and decorations once the construction renovation was completed, and;

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

WHEREAS, 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 Revenue line item be increased:

<u>Account #</u>	<u>Revenue Description</u>	<u>Increase</u>
67-370-0000	Campaign Contributions	110,540
	Total	110,540

Section 2: That the following Expense line item be increased / (decreased):

<u>Account #</u>	<u>Expense Description</u>	<u>Increase / (Decrease)</u>
67-870-0010	Furnishings	26,000
67-870-0020	Audio Visual Equipment	28,000
67-870-0000	Miscellaneous	12,000
67-880-0000	Construction	25,000
67-890-0000	Contingency	(24,260)
67-830-0000	Contribution to GF- Debt service	43,800
	Total	110,540

EXHIBIT 1

ARTICLE XI. DOWNTOWN FARMERS' MARKET

SECTION 11.1 OPERATION AND CONTROL

The Downtown Farmers' Market (hereinafter referred to as the "Market") and the facility in which it is operated shall be administered by the City of Asheboro Cultural Services Department in a manner that will provide the citizens of Asheboro and Randolph County with an opportunity for a quality experience. The Asheboro City Council's primary goals and expectations for the Market are as follows: (1) The creation and maintenance of a permanent, safe space for local farmers to sell their goods and thereby increase awareness of the important continuing role of agriculture in Randolph County and the lives of the municipality's citizens; (2) The provision of opportunities for elementary school children to learn about local agricultural activities; and (3) The provision of opportunities for citizens to purchase farm fresh goods.

Subject to the general managerial authority of the Recreation Services Superintendent, the Program Assistant (Cultural Services) shall function as the Market Coordinator with supervisory authority and operational responsibility for the Market. For purposes of implementing and interpreting the policies and regulations applicable to the Market, the Program Assistant (Cultural Services) will be referred to as the Market Coordinator. The Market Coordinator is responsible for maintaining the good order of the Market and operating the Market in a manner that furthers, consistent with all applicable laws and the best interests of the City of Asheboro, the City Council's above-stated goals and expectations.

In the interest of operational efficiency, the Market Coordinator is authorized to utilize one or more city employees within either the Cultural Services Department or the Recreation Services Department as his or her on-site designee(s) with full authority to exercise and perform the powers and duties of the Market Coordinator when the Coordinator is unavailable to directly exercise the powers and duties specified herein. Any actions taken by such a designee are subject to final review and approval by the Market Coordinator.

SECTION 11.2 HOURS OF OPERATION

- A. The operational hours of the Market shall be set by the Recreation Services Superintendent (hereinafter referred to as the "Superintendent") on the basis of the availability of vendors and consumers that wish to sell and buy produce/goods that are eligible for sale at the Market. Unless issues of supply and demand lead the Superintendent to conclude otherwise, the Market shall be open between 7:00 a.m. and 1:00 p.m. on Tuesday, Thursday, and Saturday of each week during the months of May to October.
- B. Notwithstanding any other provision found within the adopted Market rules, the Superintendent is hereby granted the authority to exercise his or her professional judgment and adjust the Market's days and hours of operation when the available evidence, including by way of illustration and not limitation the impact of the weather on the availability of agricultural goods as well as the feedback received from vendors and consumers, leads to the conclusion that the Market's operating hours should be increased or decreased. Prior to the opening day of a new Market season or whenever a change in operating days and hours occurs during the season, written notice of the Market's days and hours of operation shall be transmitted by the Superintendent to the city's elected officials and chief executive officer no less than one (1) week in advance of the date upon which such a change in operational times becomes effective.

SECTION 11.3 DAILY FEES CHARGED TO VENDORS

If an individual or agricultural operation is found by the Market Coordinator to be eligible to participate in the Market as a vendor, the approved vendor will be required to pay a daily fee for the privilege of selling authorized items in an assigned space or spaces (a maximum of two spaces may be assigned to a vendor) during the Market's operational hours. This daily fee must be paid by each approved vendor on each day that the vendor is assigned a space or spaces at the Market. These daily fees for Market participants are non-refundable. Consequently, a vendor will not receive a refund of any fees if the Market Coordinator reassigns a vendor to a different space at the Market or orders the vendor to leave the premises due to a violation of the rules established for the operation of the Market.

The amount of the daily fee charged to and collected from approved vendors by the Market Coordinator is the amount established by the Asheboro City Council in the adopted Schedule of Deposits, Fees, and Charges Administered by the Cultural and Recreation Services Departments. This schedule of deposits, fees, and charges may be revised at any time and in the sole discretion of the Asheboro City Council.

SECTION 11.4 SUPPLEMENTAL OPERATIONAL RULES AND REGULATIONS

- A. The Market Coordinator shall enforce the rules and regulations specified herein on each day of the Market's operation. The Market Coordinator's regulatory duties specifically include, without limitation, daily inspection of the entirety of the items offered for sale at the Market in order to verify that each vendor is offering for sale only those items that fall within the scope of the certification listed in the posted Grower's Certification that was presented by the vendor as a prerequisite for obtaining permission to participate in the Market. The satisfactory completion of the prescribed daily inspections and the compliance or noncompliance of each vendor shall be documented by the Market Coordinator on a daily inspection form. The initials of staff on the daily inspection form shall signify, at a minimum, the payment of the required daily fee and compliance with the Grower's Certification.

In addition to conducting daily inspections and documenting these inspections on a daily inspection form, the Market Coordinator shall also maintain a daily registration list of all vendors selling or offering goods for sale at the Market. At the discretion of the Market Coordinator, the daily registration list and daily inspection form may be combined into a single document or maintained as separate stand-alone forms. At a minimum, any document utilized as the daily registration list must be maintained by the Market Coordinator for no less than two years and must be made available, at any time, when requested by any law enforcement officer or a duly authorized agent of the Secretary of Revenue. These requirements pertaining to the daily registration list must be strictly enforced in order for the city to remain in compliance with Section 66-255 of the North Carolina General Statutes.

Pursuant to the applicable statutory provisions, the entries on the prescribed daily registration list must clearly and legibly show each vendor's name, permanent address, and certificate of registration number. The certificate of registration number to be shown on the daily registration list pertains to the certificate of registration that, in compliance with Section 66-252 of the North Carolina General Statutes, must be obtained from the Department of Revenue before a vendor may engage in business. Along with providing the certificate of registration number for the daily registration list, each vendor must exhibit a valid certificate of registration for visual inspection by the Market Coordinator when the daily registration list is prepared, and each vendor must keep the certificate of registration conspicuously and prominently displayed so as to be visible for inspection by patrons of the vendor at the location where the vendor's goods are offered for sale.

By way of clarification and not as a limitation on the city's enforcement options, and with one exception, no vendor will be allowed to set up or remain on the premises of the Market if the vendor fails to fully and unequivocally comply with the requirements found in the two immediately preceding paragraphs and this paragraph. The one exception pertains to those vendors, who acting in good faith and at their own risk, wish to claim an exemption from the requirement to possess and display a valid certificate of registration on the basis of the exemptions to Article 32 of Chapter 66 of the North Carolina General Statutes that are found in Section 66-256 of the North Carolina General Statutes. If a vendor wishes to claim this exemption, the vendor must verify in writing on each daily registration list the continuing assertion of this claim of exemption that brings the risk of legal consequences if the assertion of an exemption is not found to be valid by the controlling legal authorities. While the city will allow a vendor claiming such an exemption to participate in the Market without displaying a certificate of registration, there are no exemptions or exceptions from the requirement to accurately and fully complete the prescribed form by providing the requested information on the daily registration list (if the exemption is claimed, the word "Exemption" must be written in the space for the certificate of registration number). Each and every vendor, without exception, must actively and fully cooperate with the completion of the daily registration list if the vendor wishes to be allowed to participate in the Market and remain on the premises of the Market. By way of illustration and not limitation, the term actively and fully cooperating with the completion of the daily registration list means that the signature used to verify a vendor's continuing claim of exemption from the requirement to post a certificate of registration is personally placed on each daily registration list by the person who completed the application to be a vendor at the Market or by a person who has been previously identified in the application or in a supplement to the application as a

member of the family or company offering goods grown or made by the family or company for sale at the Market.

- B. All goods offered for sale by a vendor must be grown or made by the person, family, or company selling the product at the market. Only home grown or home processed products from the following counties may be sold: Randolph, Alamance, Chatham, Davidson, Forsyth, Guilford, Moore, Montgomery, Richmond and Stanley. The specific types of products that may be sold at the Market are more specifically described in subsection J.
- C. The Market Coordinator is authorized to designate and adjust on an as-needed basis vehicular and pedestrian traffic flow patterns designed, to the fullest extent that is practical and reasonable for the Market Coordinator, to facilitate the creation of a safe and inviting environment for Market participants. This broad authorization includes, without limitation, the authority and duty to assign a space or spaces to an eligible vendor on a daily basis. Subject to the guidelines established within this subsection for receiving priority consideration during the parking space assignment process, eligible vendors will be assigned spaces on a first come, first serve basis.

No space or combination of spaces at the Market can be utilized by a vendor without the express permission of the Market Coordinator. Subject to the rules stated herein, the Market Coordinator is expressly authorized and directed to assign spaces to vendors in a manner designed to facilitate for visitors an enjoyable and rewarding market experience that specifically includes a safe and efficient flow of pedestrian and vehicular traffic on the premises of the Market. The assignment and reassignment of spaces by the Market Coordinator can continue throughout the course of the market day when deemed necessary by the Market Coordinator to maintain the good order of the Market and to maintain the safe flow of pedestrians and motor vehicles.

When assigning vendors to spaces at the Market, priority shall be given to vendors who have excellent rule compliance and attendance records at the Market. This space assignment priority system shall be utilized, without limitation, to determine which vendors are assigned to the spaces located under the shelter (hereinafter referred to as the "Preferred Area") at the Market facility. Regardless of a vendor's attendance record or any other evaluative factor prescribed herein, a vendor that has been found, at any point in time, to be in violation of one or more of the regulations established for the operation of the Market, including without limitation facilitating or in any way encouraging the impeding of a traffic flow pattern established within the Market by the Market Coordinator, will not be assigned a space in the Preferred Area unless and until all vendors with an unblemished compliance record have been assigned their spaces at the time of the official opening of the Market for business.

The space assignment priority system described herein will be used by the Market Coordinator to hold spaces in the Preferred Area for those vendors whose attendance and compliance with Market rules have enabled the vendors to obtain priority assignment status. Assigned spaces in the Preferred Area will be held for designated vendors with priority status until the Market's opening time. Vendors are to arrive no sooner than one hour before the designated time that the Market opens to obtain access to their assigned space. Once the Market has officially opened, the Market Coordinator is authorized to relocate and reassign vendors without regard to any sort of priority assignment system for the remainder of the day. Once a vendor is properly placed by the Market Coordinator in a space, such a vendor will not be asked to relocate to another location during the course of the day so long as he or she complies with the entirety of the Market rules and is located in the Preferred Area. Overflow areas are not to be used if space is available for a vendor in the Preferred Area.

When spaces are assigned during the opening month of the season, the attendance component of the evaluation process shall be based on the vendor's attendance record during the immediately preceding market season. Subsequent to the initial assignment of spaces at the beginning of the current season, the vendors' attendance record throughout the course of the then current season as well as the level of continuing compliance with Market rules will be reviewed in order to determine if the existing space assignment priorities are to be retained or adjusted.

Regardless of the space assignment priority a vendor might otherwise enjoy at the Market, the maximum number of spaces a vendor can be assigned on any single day is two spaces. If a vendor who has been assigned two spaces for use during the day fails to fully and properly utilize both spaces at any time during the market day, the Market Coordinator, in his or her sole discretion, may order the vendor to immediately consolidate his or her products into a single assigned space. The previously

underutilized or improperly utilized space may then be reassigned by the Market Coordinator to another vendor.

If a vendor declines to accept the space(s) initially assigned by the Market Coordinator, such a vendor will not be eligible for the assignment of a space in the Preferred Area until the Market Coordinator has completed the assignment of spaces for all of the vendors who did not reject the Market Coordinator's initial assignment decision. Any vendor who refuses to accept the final space assignment decision of the Market Coordinator shall be asked to leave the Market premises.

- D. Each vendor authorized to sell at the Market is responsible for the safety and security of the vendor's products as well as for providing the vendor's own tables and other display items. Excess produce must be removed from the market and not dumped in market facility trash containers.
- E. In order to be a vendor at the Farmers' Market, a prospective vendor must submit a properly completed application and the appropriate fees in good funds to the designated city staff member. Furthermore, the Market Coordinator may request additional information and/or documentation from potential applicants in order to research any question(s) that may arise in regard to the applicant's eligibility to be approved as a vendor at the Market. An application to be a vendor at the Market will not be approved until the Market Coordinator is provided with the requested information and is able to resolve all concerns about the applicant's eligibility to be a vendor.
- F. Staff shall review and approve each application. Applications should be received at least two weeks before the vendor plans to begin selling at the Market.
- G. All growers must have received a "Grower's Certification" from their local cooperative extension service agent. In order to be deemed valid and in compliance with these rules and regulations, a Grower's Certification must be dated as having been issued on or after April 1 of the market season during which the grower is currently offering goods for sale at the Market. Additionally, each grower must post his or her Grower's Certification for public inspection at the grower's assigned space while selling at the Market.
- H. All vendors shall display a sign bearing their name and address. This sign shall be prominently displayed by the vendor while selling at the market. The sign shall be provided by the city.
- I. Prices must be posted for all items to be sold.
- J. Subject to the controlling provision within these regulations that any and all agricultural items offered for sale at the Market must be within the scope of the posted Grower's Certification, products that can be sold include:
 - a. Vegetables grown from seeds, sets, or seedlings;
 - b. Fruits, nuts, or berries;
 - c. Plants grown from seed, seedling transplant, or cutting;
 - d. Bulbs;
 - e. Eggs;
 - f. Meats;
 - g. Dairy products;
 - h. Honey;
 - i. Cut or dried flowers;
 - j. Straw;
 - k. Preserves, pickles, relishes, jams, and jellies produced at home by the seller;
 - l. Baked goods and any other low-risk packaged foods that are produced at home by the seller subsequent to a successful Home Processor Inspection conducted by the North Carolina Department of Agriculture and Consumer Services (hereinafter referred to as "NCDACS"); and
 - m. Any other commodity or product that comes directly from the farm without any additional processing beyond the customary process used to harvest the commodity or product, or in the case of edible products is made with a primary ingredient that comes directly from the farm, so long as such items are reasonably determined by the Recreation Services Superintendent or his designee to fall within the range of commodities or goods produced by the agricultural sector of the economies in the counties of Randolph, Alamance, Chatham, Davidson, Forsyth, Guilford, Moore, Montgomery, Richmond and Stanley.
- K. No low-acid canned foods such as green beans, corn, peas, carrots, etc. may be sold. In addition, no canned tomato products may be sold.

- L. All products must be of top quality.
- M. All food must meet NCDACS and local health regulations. Members selling prepared foods must provide verification of current NCDACS inspection, specifically including the Home Processor Inspection for items produced in the home, when submitting their application.
- N. Food items must be labeled prior to sale with at least the following information:
 - a. Product name;
 - b. Manufacturer's name and address;
 - c. Net weight of the product in ounces/pounds and the gram weight equivalent;
and
 - d. Complete list of ingredients in order of predominance by weight.
- O. Only standard canning jars with new rings and lids may be used.
- P. Home baked cakes, pies, cookies, and breads may be sold except cream pies.
- Q. All goods marketed as certified goods and/or mandated by any lawful authority to be subjected to an inspection program prior to entering the market place must be validated by the vendor offering the goods for sale as compliant with the applicable legal authorities. This validation shall be accomplished by the display at the vendor's assigned space of documentation evidencing the advertised or mandated certification. Additionally, a copy of any such posted documentation must be provided to the Market Coordinator before the goods referenced in the certification are offered for sale.
- R. No live animals may be sold or given away at the market.
- S. No pets are allowed at the Market. Service animals are not deemed to be pets and are allowed at the Market. A service animal is any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.
- T. Any vendor selling meat, dairy, poultry, or other animal products that are regulated by the NCDACS and/or USDA are responsible for satisfying any regulatory requirements prior to selling of product. Vendors must file a copy of Department of Agriculture Form MP-2 (Registration of Poultry and Meat Handlers) with the Market Coordinator and keep a copy of this license with them at all times while selling at the market. Vendors also must inform the Staff of any change in licensing status immediately upon receiving notice of a change. All products must be stored in a new or like new condition refrigerator or freezer.
- U. Scales should be the type that can be or is approved and certified by the NCDACS.
- V. Any complaints, disputes, or violations of the rules shall be directed to the Market Coordinator for resolution.
- W. Neither the City of Asheboro nor its elected officials, officers, employees, agents or representatives, shall be responsible, in either an official or individual capacity, for loss through theft or otherwise of private property at the market. The Farmers' Market shall not be responsible for personal injuries or damages to individuals or personal property arising out of the actions or conduct of guests, invitees, or any type of third party not directly affiliated with the City of Asheboro.
- X. Each vendor shall be responsible for their own records, taxes, and compliance with all applicable regulations.
- Y. Without limitation as to additional enforcement actions that may be taken as deemed appropriate by city officials in light of the nature of a specific offense, the following enforcement protocols will be utilized when goods are displayed/offered for sale in violation of these rules and regulations during a particular season:
 - a. 1st Offense = A verbal warning will be issued to the offending vendor, and the goods displayed/offered for sale in violation of the rules and regulations must be immediately removed from the view of any member of the public. Goods subject to a verbal or written removal order cannot be sold at the market facility. Any vendor who refuses to comply with an order from a Market Coordinator to remove goods from display will be asked to leave the premises and will be guilty of trespassing if this order to leave the premises is not obeyed within the amount of time reasonably necessary to load all of the vendor's displayed items for

transport. No vendor ordered to leave the facility due to a violation of the adopted rules and regulations is entitled to a refund of any fees that he or she may have paid in order to participate in the Market.

- b. 2nd Offense = Upon discovery of a second violation of any of the rules and regulations prescribed for the Market, a vendor will be ordered to immediately leave the facility with the entirety of his or her goods. Such a vendor will not be permitted to sell any goods at the Market for a period of three (3) consecutive market days, inclusive of the date on which the second offense was discovered.
- c. 3rd Offense = Upon discovery of a third violation of any of the rules and regulations prescribed for the Market, a vendor will be ordered to immediately leave the facility with the entirety of his or her goods. Such a vendor will not be permitted to sell any goods at the Market for the remainder of the current season.

SECTION 11.5 VENDOR FEEDBACK

Market meetings shall be held before and after the Market season. The purpose of the meetings shall be to give Market participants the opportunity to voice their opinions and make suggestions of the operation of the market. Other meetings may be held on an as needed basis. The Recreation Services Superintendent shall preside at all meetings.

SECTION 11.6 FARMERS' MARKET FACILITY

1. Except as authorized in Subsection J(m) of Section 11.4 of this Article, no alcoholic beverages or controlled substances, other than those prescription medications lawfully in the possession of an individual, are permitted on the premises of the facility. In order to remain within the exception to the general prohibition of alcoholic beverages on the facility's premises, the retail sale of unfortified wine pursuant to Subsection J(m) of Section 11.4 shall be conducted in strict compliance with all applicable federal, state, and local laws, ordinances, and regulations.
2. No pets, other than service animals, are allowed.
3. No flea market items may be sold or displayed at any time.
4. Yard sales may not be held at the Facility.
5. Rental of the facility must be approved by the Cultural Services Department.
6. Security deposit and rental fees shall be set by City Council.
7. Vendors requiring electricity shall provide their own extension cords properly rated to meet their electrical requirements.
8. No items may be attached to any area of the Market structure, trees, etc.
9. Holding an event at the Market facility without authorization shall subject the event to immediate termination and other enforcement actions as deemed appropriate by the Recreation Services Superintendent.

(g) A resolution awarding a service side arm to a retiring Asheboro police officer.

06 RES 4-14

RESOLUTION AWARDING A SERVICE SIDE ARM TO A RETIRING OFFICER OF THE ASHEBORO POLICE DEPARTMENT

WHEREAS, effective June 1, 2014, Master Police Officer Brenda Carol McMasters will begin her retirement from employment with the Asheboro Police Department after rendering honorable and invaluable service to the City of Asheboro and its citizens since the date of her initial employment with the Asheboro Police Department on May 19, 1999; and

WHEREAS, pursuant to and in accordance with Section 20-187.2 of the North Carolina General Statutes, the Asheboro City Council wishes to recognize and honor Officer McMasters for her valuable service to the city by awarding to her, at a minimal monetary cost, the service side arm issued to the officer at the time of her retirement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, effective June 1, 2014, in consideration of the combination of Officer McMasters' dedicated service to the City of Asheboro and the payment to the City of Asheboro of one dollar (\$1.00), Brenda Carol McMasters is to be awarded, upon a determination by the Chief of Police that Ms. McMasters is not ineligible to own, possess, or receive a firearm under the provisions of federal or North Carolina law, ownership of her city-issued service side arm (a Glock 23 Generation 4 with serial no. SFS974 and three magazines).

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting that was held on the 10th day of April, 2014.

/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

4. **Community Development Division items:**

- (a) **Zoning Case RZ-14-01: A legislative zoning hearing continued from the March meeting to consider the application filed by H.R. Gallimore (Agent for Bernard F. Phillips) to rezone property located at 1743 and 1745 East Salisbury Street from R10 (Medium-Density Residential) and R40 (Low-Density Residential) to B2 (General Commercial).**

Mayor Smith opened the public hearing on the following request.

The requested rezoning pertains to approximately 9.88 acres of land owned by Bernard F. Phillips and Glenda P. Norford and is located at 1743 and 1745 East Salisbury Street. The area included within this request is more specifically identified by Randolph County Parcel Identification Numbers 7761723581 and 7761735006.

Mr. Nuttall presented the Community Development Division staff's analysis of the request submitted by Mr. H.R. Gallimore, who is the agent for the property owner, to rezone the above-described property from R10 (Medium-Density Residential) and R40 (Low-Density Residential) to B2 (General Commercial). Mr. H.R. Gallimore was available to answer questions. No other individuals asked to be heard during the course of this hearing.

The staff report noted that the property is located outside of the city's corporate limits, and that connection to city water and sewer service requires annexation of the property. The area in which the property is located includes a mix of industrial, commercial, and residential uses. East Salisbury Street is a state-maintained minor thoroughfare at this location. Placing the property in a B2 zoning district would allow all uses permitted by right in the B2 district.

The Planning Board concurred with the following Community Development Division staff's analysis and recommended approval of the requested rezoning:

"The request is consistent with the proposed land use map, which envisions commercial uses along this portion of East Salisbury Street. In addition, the requested B2 district is compatible with adjacent commercial and industrial land uses."

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

Upon motion by Mr. Bell and seconded by Ms. Carter, Council voted unanimously to adopt the recommendation/analysis of the Community Development Division staff and the Planning Board and approved the requested rezoning as well as adopting the following consistency statement that was initially proposed in the staff report:

After considering of the above factors (the excerpt from the staff report that is quoted above), the zoning map amendment will allow a reasonable use of the property and ensure consistency with the Land Development Plan.

- (b) **Zoning Case RZ-14-02: A legislative zoning hearing continued from the March meeting to consider the application filed by H. R. Gallimore (Agent for Bernard F. Phillips) to rezone property located at the western corner of East Salisbury Street and Coleridge Road from R7.5 (Medium-Density Residential) to B2 (General Commercial).**

Mayor Smith opened the public hearing on the following request.

The requested rezoning pertains to approximately 1.21 acres of land owned by Bernard F. Phillips and Glenda P. Norford and is located at the western corner of East Salisbury Street and Coleridge Road. The area included within this request is more specifically identified by Randolph County Parcel Identification Number 7761327507.

Mr. Nuttall presented the Community Development Division staff's analysis of the request submitted by Mr. H.R. Gallimore, who is the agent for the property owner, to rezone the above-described property from R7.5 (Medium-Density Residential) to B2 (General Commercial). Mr. H.R. Gallimore was available to answer questions. No other individuals asked to be heard during the course of this hearing.

The staff report noted that the property is located within the city's corporate limits and all city services are available. East Salisbury Street and Coleridge Road are both state-maintained minor thoroughfares at this location. Surrounding land uses include commercial, multi-family, and single-family residential land uses. Placing the property in the B2 zoning district would allow all uses permitted by right in the B2 district.

The Zoning Ordinance Statement of Intent (Section 210) states that the B2 district "*is intended to serve the convenience goods, shoppers goods retail and service needs of the motoring public, both local and transient. This district should always be located with access directly to major or minor thoroughfares, never local streets.*"

The Planning Board concurred with the following Community Development Division staff's analysis and recommended approval of the requested rezoning:

"The request is consistent with the proposed land use map, which envisions commercial uses being designated at key intersections along East Salisbury Street, such as Coleridge Road, where the subject property is located. Furthermore, since the adoption of the Land Development Plan map, additional commercial uses have been developed in this immediate vicinity along East Salisbury Street at other nearby intersections, making the requested B2 district compatible with surrounding land uses."

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

Upon motion by Mr. Bell and seconded by Mr. Burks, Council voted unanimously to adopt the recommendation/analysis of the Community Development Division staff and the Planning Board and approved the requested rezoning as well as adopting the following consistency statement that was initially proposed in the staff report:

After considering the above factors (the excerpt from the staff report that is quoted above), the zoning map amendment will allow a reasonable use of the property and ensure consistency with the Land Development Plan.

(c) A report concerning applications submitted for an open seat on the Asheboro Redevelopment Commission.

Mr. Nuttall reported to the Council Members that only one individual, Ms. Ann C. McGlohon, had submitted her application for the open seat on the Asheboro Redevelopment Commission. This vacancy on the commission is attributed to the retirement of Ms. Martha Norman. Additionally, Mr. Nuttall recommended that the Council appoint Ms. McGlohon to the Redevelopment Commission for a five (5) year term, beginning on April 1, 2014 and expiring on April 1, 2019.

Upon motion by Mr. Baker and seconded by Mr. Swiers, Council voted unanimously to appoint Ms. Ann C. McGlohon to the Asheboro Redevelopment Commission for a five (5) year term beginning April 1, 2014 and ending on April 1, 2019.

(d) A report concerning the public workshop held on March 27, 2014 to inform the public about the proposed Vision Drive safety improvements.

Mr. Nuttall reported that six (6) citizens attended the public workshop held on March 27, 2014 and reviewed the maps pertaining to the proposed Vision Drive safety improvements. Overall, Mr. Nuttall informed the Council that positive comments have been received regarding the proposed improvements. The project is slated to begin late summer 2014.

(e) The recently updated brochure highlighting Asheboro as a state certified retirement community.

Mr. Nuttall presented the recently update brochure highlighting Asheboro as a North Carolina Certified Retirement Community. Within the brochure, citizens may read a

welcome message from Mayor Smith and learn top ten reasons to love Asheboro. The brochure will be distributed both locally and across the state. A copy is on file in the city clerk's office.

5. Public comment period.

Mayor Smith opened the floor for comments from the public.

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

6. Annual report of the Asheboro Police Department.

Mr. Ralph W. Norton, Chief of Police, presented an overview of the Police Department's activities for 2013. Along with highlighting the department's statistics, Chief Norton highlighted that two (2) more community watch programs have been implemented since 2012, for a total of 16 community watch programs within the city.

A copy of the report presented by Chief Norton is on file in the City Clerk's office.

7. Public works items:

(a) Engineering items:

- (i) A resolution approving an agreement with the N. C. Department of Transportation under which the city will perform, with reimbursement from the state, routine and/or clean-up mowing of vegetation within the rights of way of certain state maintained streets within the city limits.**

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

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

RESOLUTION NUMBER 07 RES 4-14
CITY COUNCIL OF THE CITY OF ASHEBORO

Right-of-Way Mowing Agreement with the North Carolina Department of Transportation

WHEREAS, the City of Asheboro (the "City") has found from past experience that it is in the overall interest of the City to perform, with reimbursement from the North Carolina Department of Transportation (the "NCDOT"), routine and/or clean-up mowing of vegetation within the rights-of-way of certain state-maintained roads so long as the sections of rights-of-way to be maintained are located within the Asheboro city limits; and

WHEREAS, the NCDOT is agreeable to engaging in the above-described contractual relationship if the City will execute a "TRAFFIC – CONSTRUCTION BY OTHERS AGREEMENT" (the "Agreement") prepared by NCDOT; and

WHEREAS, the proposed Agreement 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 City's professional staff has reviewed the terms and conditions of the Agreement and has provided a favorable report of the Agreement to the Council; and

WHEREAS, after considering the Agreement during a regular meeting that was held on April 10, 2014, the City Council has concurred with the staff's favorable opinion of the proposal;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the Agreement attached hereto as EXHIBIT 1 is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor, City Clerk, and all other necessary City officials are authorized to execute and deliver the Agreement to the NCDOT.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 10th day of April, 2014.

/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

[Exhibit 1 that is referred to in the above-referenced resolution is attached to the original resolution on file in the City Clerk's office.]

(ii) An ordinance updating the parking regulations applicable to the downtown area.

Mr. Leonard presented and recommended adoption, by reference, of the above-referenced ordinance.

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

ORDINANCE NUMBER 08 ORD 4-14
CITY COUNCIL OF THE CITY OF ASHEBORO

Parking Regulations in the Downtown Area

WHEREAS, Section 160A-296 of the North Carolina General Statutes provides that a city shall have general authority and control over all public streets, sidewalks, alleys, bridges, and other ways of public passage within its corporate limits; and

WHEREAS, Section 160A-301(a) of the North Carolina General Statutes provides that the "city may by ordinance regulate, restrict, and prohibit the parking of vehicles on the public streets, alleys, and bridges within the city;" and

WHEREAS, Section 160A-302 of the North Carolina General Statutes provides that "a city shall have authority to own, acquire, establish, regulate, operate, and control off-street parking lots, parking garages, and other facilities for parking motor vehicles, and to make a charge for the use of such facilities;" and

WHEREAS, during its regular meeting on March 6, 2014, the Asheboro City Council received a request from the Downtown Business Association to update on-street and off-street parking regulations in the downtown area; and

WHEREAS, with the exception of preferring a 3-hour durational parking limitation at Bicentennial Park over the requested 4-hour durational parking limitation, the governing board agreed with the requests presented by the Downtown Business Association's spokesperson during the Council's March 2014 regular meeting; and

WHEREAS, city staff members prepared detailed diagrams to serve as official parking plans that reflect the consensus about updating downtown area parking restrictions that emerged during the said March meeting; and

WHEREAS, these proposed official parking plans have been prepared by the City of Asheboro Engineering Department under job no. 14007 and consist of a total of 4 sheets (Sheet 1 of 4 = "Parking Plan For Bicentennial and Academy Street Lots;" Sheet 2 of 4 = "Parking Plan For Trade Street;" Sheet 3 of 4 = "Parking Plan For North Street;" and Sheet 4 of 4 = "Parking Plan For City Hall Parking Lots") that are attached to this Ordinance as EXHIBIT 1 and are hereby incorporated into this Ordinance by reference as if copied fully herein (these parking plans as shown on the attached total of 4 sheets shall be hereinafter collectively referred to as the "Parking Plans");

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

Section 1. The Parking Plans submitted by city staff and attached hereto as EXHIBIT 1 are hereby approved and adopted, without modification, as official parking plans of the City of Asheboro.

Section 2. The city manager is hereby directed to cause the appropriate streets and municipal parking lots to be posted with signage and otherwise marked in accordance with the applicable laws and generally accepted industry standards so as to fully implement the Parking Plans attached to this Ordinance as EXHIBIT 1.

Section 3. The city clerk shall enter descriptions of the 2-hour time limits and the municipal parking lot restrictions shown by the Parking Plans in the appropriate schedules (Schedule 3 and Schedule 20, respectively) of Section 72.02 of the Code of Asheboro.

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

Section 5. This Ordinance shall take effect and be in force from and after the date of its adoption.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 10th day of April, 2014.

/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

[The Parking Plans referenced in the preceding ordinance are on file in the City Clerk's office.]

(b) Update on city operations and debris removal after the recent winter storm.

Mr. David Hutchins, the city's Public Works Director, utilized a visual presentation and highlighted that approximately 200 trees fell on city streets during the ice storm that occurred on March 7, 2014. Additionally, Mr. Hutchins reported to the Council that city crews worked approximately 5,207 hours cleaning approximately 1,950 tons of debris from city streets during March 7, 2014 until April 9, 2014.

In addition to his gratitude, Mayor Smith conveyed to Mr. Hutchins the positive comments he has received from citizens on the great work that the city crews have done in the past month in their diligence in cleaning the storm debris from city streets in such a timely manner.

A copy of the visual presentation utilized by Mr. Hutchins is on file in the City Clerk's office.

(c) Update on the recycling contract.

Mr. Hutchins reported that the curbside recycling has been successful and that city staff recommends that the contract with Asheboro Recycling Center be renewed. The Council Members indicated their general consent for city staff to prepare a contract based on the terms and conditions of the initial recycling agreement, to extend the city's contractual relationship with Asheboro Recycling Center. A formal proposal will be submitted for approval during a future meeting of the Council. No formal action was taken by the Council during this meeting.

8. Resolution authorizing the execution of an installment financing agreement with Branch Banking and Trust Company.

Ms. Reaves presented and recommended adoption, by reference, of the aforementioned resolution.

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

ASHEBORO CITY COUNCIL RESOLUTION NO. 08 RES 4-14

A Resolution Approving Financing Terms

WHEREAS, the City of Asheboro (hereinafter referred to as the "City") has previously decided to undertake a project for the financing of vehicles and equipment (this project shall be hereinafter referred to as the "Project"); 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 purchased property to secure payment of the purchase price to the entity supplying financing for the purchase transaction; and

WHEREAS, by means of adopting Resolution Number 38 RES 9-13 on September 12, 2013, the Asheboro City Council has previously stated its intent that, prior to the execution of any installment

financing agreement and consistent with the city's budget ordinance for fiscal year 2013-2014, a maximum of \$28,000.00 may be expended from the General Fund during the current fiscal year for certain vehicles and equipment referenced in the adopted Resolution of Intent and a maximum of \$414,000.00 may be expended during the current fiscal year from the Water and Sewer Fund for certain vehicles and equipment referenced in the adopted Resolution of Intent; and

WHEREAS, also by means of adopting Resolution Number 38 RES 9-13 on September 12, 2013, the Asheboro City Council has previously formally and explicitly declared the official intent of the City of Asheboro to fully reimburse, with loan proceeds from an installment financing agreement that is to be executed prior to the end of the 2013-2014 fiscal year, any and all expenditures from the General Fund and the Water and Sewer Fund for the purchase during the current fiscal year of the vehicles and equipment identified in the Resolution of Intent that are necessary to the provision of essential municipal services; and

WHEREAS, after searching for favorable financing rates and terms, the city manager and the finance director have presented a proposal for the financing of the above-referenced Project;

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

Section 1. The determination is hereby made that the City will finance the Project through Branch Banking and Trust Company (hereinafter referred to as "BB&T") in accordance with the proposal dated March 21, 2014. The amount financed shall not exceed \$365,000.00, the annual interest rate (in the absence of a default or a change in tax status) shall not exceed 1.79%, and the financing term shall not exceed 59 months from closing.

Section 2. All financing contracts and all related documents for the closing of the financing (hereinafter referred to as the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents and to take all such further action as they may consider necessary or desirable to carry out the financing of the Project as contemplated by the proposal and this Resolution.

Section 3. The finance officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. To the extent authorized by law and any applicable rules of professional conduct, the finance officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the finance officer shall approve, with the finance officer's release of any Financing Documents for delivery constituting evidence of such officer's final approval of the Documents' final form.

Section 4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

Section 5. In addition to the above-referenced and previously adopted Resolution of Intent (Resolution Number 38 RES 9-13), the City intends that the adoption of this Resolution will be a continuing declaration of the City's official intent to reimburse expenditures for the Project that is to be financed from the proceeds of the BB&T financing described above. The City intends that funds that have been advanced, or that maybe advanced, from the City's General Fund, or any other fund related to the Project such as the City's Water and Sewer Fund, for Project costs may be reimbursed from financing proceeds.

Section 6. All prior actions of City officers in furtherance of the purposes of this Resolution are hereby ratified, approved, and confirmed. All other resolutions (or parts thereof) in conflict with this Resolution are hereby repealed to the extent of any such conflict. This Resolution shall take effect immediately.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting of the governing board that was held on April 10, 2014.

/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

9. **A Resolution entitled “Designation of Applicant’s Agent” as required by the N.C. Division of Emergency Management and U.S. Department of Homeland Security, Federal Emergency Management Agency, to request Federal and State funds in connection with the damaged caused by the winter storm disaster of Mach 6-7, 2014.**

Ms. Reaves presented and recommended adoption, by reference, of the aforementioned resolution.

Upon motion by Mr. Baker and seconded by Ms. Hunter, Council voted unanimously to adopt the Resolution entitled Designation of Applicant’s Agent that was provided by the North Carolina Division of Emergency Management. A copy of the original executed resolution is on file in the City Clerk’s office.

10. **Upcoming events that were announced by Mayor Smith:**

- **Business After Hours Event at the North Carolina Zoo on Thursday, April 17, 2014 from 5:30 until 7:00 p.m.**
- **Annual Identity Theft Prevention Program Committee meeting on Wednesday, April 30, 2014 at 9:00 a.m. in the Council Chamber.**
- **“No Tie Affair” event on Saturday, April 26, 2014 from 6:00 p.m. until 10:00 p.m. at JB and Claire Davis’ Cotopaxi Farm.**
- **The Mayor’s Prayer Breakfast on Thursday, May 1, 2014 at AVS Catering at 6:45 a.m.**
- **Ethics for Municipal Elected Officials live webinar on Wednesday, May 14, 2014 from 10:00 a.m. until 12:00 p.m.in the Council Chamber.**
- **Budget workshop on Tuesday, May 20, 2014 at 5:30 p.m.**
- **Town Hall Day at General Assembly on Wednesday, June 4, 2014.**
- **Regular city council meeting and budget public hearing on Thursday, June 5, 2014.**
- **Budget adoption on Thursday, June 26, 2014 at 12:00 p.m.**

There being no further business, the meeting was adjourned at 7:58 p.m.

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

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