

**AMENDED AGENDA
REGULAR MEETING
CITY COUNCIL, CITY OF ASHEBORO
THURSDAY, APRIL 4, 2019, 7:00 PM**

1. Call to order.
2. Silent prayer and pledge of allegiance.
3. Mayor Smith will present a ***Key to the City*** to Dr. James M. Rich, Jr. for his many years of dedicated service on the Asheboro Airport Authority.
4. Andee Edelson, Director of Early Care and Education for the Randolph County Partnership for Children, will discuss the partnership's upcoming Children's Puppet Parade in downtown Asheboro.
5. Mary Joan Pugh, Trails/Natural Heritage Coordinator for Randolph County, will present the county's application for Recreation Trails Program grant funding for the Deep River Worthville to Central Falls Blueway.
6. Police Chief Jody Williams will present the police department's annual report.
7. Safety Manager Steve Paye will discuss the 2018 North Carolina Department of Labor safety awards.
8. Fire Chief Willie Summers will extend an invitation to attend the Asheboro Fire Department's upcoming promotion ceremony and celebration.
9. Consent Agenda:
 - (a) Approval of the meeting minutes prepared for the city council meeting held on March 7, 2019.
 - (b) Acknowledgement of the receipt from the Asheboro ABC Board of its meeting minutes for February 4, 2019.
 - (c) Approval of the final decision document for land use case number SUP-19-01.
 - (d) Approval of the final decision document for land use case number SUP-19-02/SUB-19-01.

(e) Approval to schedule for May 9, 2019, and to advertise a public hearing on an application to rezone approximately 4.5 acres of land located on the north side of East Salisbury Street, between 853 and 933 East Salisbury Street, from R7.5 (Medium-Density Residential) to OA6 (Office-Apartment) zoning. This property is more specifically identified by Randolph County Parcel Identification Numbers 7761229556, 7761229618, and 7761229996.

(f) Acknowledgment of the receipt of the statutorily prescribed notice of construction work to enhance the city's sewer maintenance program by installing sanitary sewer service line clean-outs along the following streets: Thayer Drive, Idlewood Drive, Neely Drive, Rockridge Road, Westover Terrace, Westmont Drive, Edgewood Road, Westmont Circle, Oakmont Drive, Mountain Drive, Lincoln Avenue, Chapelgate Lane, Southway Road, Timbal Court, North McCrary Street, and Lord Randolph Circle.

(g) Approval of a resolution authorizing the city manager to exercise an option to purchase real property for the benefit of the Asheboro Regional Airport.

10. Community Development Director Trevor Nuttall will introduce the following community development items:

(a) Legislative Hearing : Text amendments to the zoning ordinance concerning the maximum allowable floor area ratio and supplementary requirements for multi-family residential developments.

(b) Quasi-Judicial Hearing: Combined hearing concerning property located at 481 North Carolina Highway 49 South (Randolph County Parcel Identification Numbers 7740931871 and 7740941140). The application asks for the rezoning of a portion of the property from B2 (General Commercial) to CU-RA6 (Medium-Density Residential) and asks for the issuance of a Conditional Use Permit authorizing a multiple family development.

(c) Legislative Hearing: An application asking for the rezoning of property at 1644, 1702, and 1712 North Fayetteville Street (portions of Randolph County Parcel Identification Numbers 7762064208, 7762065123, and 7762067634) from R10 (Medium-Density Residential) to O&I (Office & Institutional).

- (d) Provide an update on staff's review of Article 200 of the Zoning Ordinance as recommended by the city council on December 6, 2018.
- 11. Public comment Period.
- 12. Water Resources Director Michael Rhoney, PE will present a bid summary and request the award of contracts for the supply of chemicals to the water and wastewater treatment plants.
- 13. Recreation Services Director Jonathan Sermon will discuss the following items:
 - (a) The 2019 operational days and hours, including special events, planned for the Downtown Farmers' Market.
 - (b) A request for the approval of an ordinance amending Article I (Rec Cards) in the City of Asheboro Cultural and Recreation Services Policy Manual.
- 14. The City Attorney will present for consideration ordinances designed to address requests for additional alcoholic beverage options at the Asheboro Regional Airport and Sunset Theatre.
- 15. Finance Director Debbie Reaves will present the following:
 - (a) Consideration of a resolution authorizing and agreeing to receive distributions from the Peggy Phillips Tufts Memorial Endowment created for the benefit of the City of Asheboro with the restriction that all distributions must be utilized for the upkeep, maintenance, and care of the Asheboro City Cemetery.
 - (b) Consideration of an ordinance to amend the General Fund.
- 16. City Engineer Michael Leonard, PE will present a bid summary and request the award of a contract to replace the HVAC system at the police department.
- 17. Mayor Smith will update the council on the proposed Arboretum project.

Amended Agenda

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18. Mayor Smith will lead a discussion of upcoming events and items not on the agenda.
19. Adjournment.



ASHEBORO POLICE DEPARTMENT

2018

ANNUAL REPORT

HONOR * INTEGRITY * SERVICE

ASHEBORO POLICE DEPARTMENT

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Jody P. Williams

-Chief of Police-

MESSAGE FROM THE CHIEF



Thank you for letting me serve as the Chief of Police for the City of Asheboro, the dedicated men and women of the Asheboro Police Department and myself are committed to serving the public and providing the community with a professional organization that is built on a foundation of strong character with Honor, Integrity, and Service.

We strive to be responsive to our citizens, and it is my belief that there is a shared responsibility between the community and the police department to work together to reduce crime and improve the quality of life in our wonderful city. To accomplish this, we deploy a community policing philosophy coupled with a neighborhood problem solving approach. This reflects our commitment to reducing crime and disorder citywide by focusing on unique neighborhood crime problems and solutions.

The following report includes information explaining the day-to-day activities and accomplishments of the Asheboro Police Department during the year 2018. Specifically, you will find sections regarding the agency's recognition of sworn and non-sworn employees, crime statistics, activities of individual units and squads, promotions, retirements, new hires, and a section dedicated to the memory of current and former employees who passed away during the year.

I invite you to explore the information in this report, and encourage you to contact the Asheboro Police Department if we can be of any service to you.

Respectfully,

Jody P. Williams

Chief of Police

Asheboro Police Department

Asheboro Police Department

-At A Glance-

Asheboro is the county seat of Randolph County. The population as of the 2010 census was 25,012.

As of December 2018 **Asheboro Police Department** consisted of 75 sworn officer positions, 8 non-sworn positions, and 4 part-time crossing guard positions.

It is the mission of the **Asheboro Police Department** to work together with the community and develop relationships in order to enhance the quality of life for all and to provide each individual with a professional police service; and to do so with honor and integrity.



ASHEBORO POLICE DEPARTMENT

-CALLS FOR SERVICE*-

Nature of Call	Amount of Reported Calls		Nature of Call	Amount of Reported Calls
911 HANGUP/OPEN LINE	1568		CONTROLLED SUBSTANCE	737
ABANDONED VEHICLE	26		DWI (ALCOHOL/DRUGS)	237
AGENCY ASSISTANCE	178		ESCORT	663
ALARM	3961		FAMILY FIGHT	1566
ALCOHOL OFFENSE/ VIOLATION	20		FIGHT IN PROGRESS	149
ANIMAL	986		FIRE RELATED CALLS	226
ABNORMAL BEHAVIOR	75		FOOT CHASE/FLEEING SUBJECT	25
ARMED ROBBERY	23		FOLLOW-UP	211
ARMED WITH FIREARM	94		FORGERY/FRAUD	300
ASSAULT	437		FOUND/RECOVERED PROPERTY	387
ATTEMPT TO LOCATE	70		GUNSHOT WOUND	10
BURGLARY	642		HARASSMENT	174
CHILD ABUSE/NEGLECT	11		INDECENT EXPOSURE	61
CITIZEN ASSIST	1127		INTOXICATED PERSON	236
CITIZEN DISPUTE	189		INVOLUNTARY COMMITMENT	303
COMMUNICATING THREATS	291		JUVENILE PROBLEM	171
CUSTODIAL INTERFERENCE	45		KIDNAPPING	14
DISABLED VEHICLE	303		LARCENY/THEFT	1202
DISCHARGING FIREARMS	159		LOITERING	73
DISORDERLY CONDUCT	531		MEDICAL EMERGENCY	623
DOA	15		MISCELLANEOUS	349
TOTAL	10751		TOTAL	7717

ASHEBORO POLICE DEPARTMENT

-CALLS FOR SERVICE*- (cont'd.)

Nature of Call	Amount of Reported Calls		Service Call Clearance Code	Amount Cleared
MISSING PERSON	147		[NO CLEARANCE]	1357
OVERDOSE	128		REPORT MADE/ADVISED	5888
PANHANDLING	48		UNABLE TO LOCATE	315
PROWLER	196		REFERRED TO ANOTHER AGENCY	443
RAPE/SEX OFFENSE or ASSAULT	35		MESSAGE DELIVERED	1
RESIST/DELAY/OBSTRUCT	53		FALSE ALARM	1632
SEARCH WARRANT	44		WANTED HIT	1
STABBING	6		WARRANT ADVISED	19
SUICIDE/THREATENED SUICIDE	151		CITATION ISSUED	32
SUSPICIOUS PERSON/VEHICLE	1473		AREA CHECKED	2128
TRAFFIC RELATED VIOLATIONS	3090		VERBALLY WARNED	910
TRESPASSING	473		NO ACTION TAKEN	2
UNAUTHORIZED USE OF A VEHICLE	69		UNFOUNDED/NOT REPORTED	32
VANDALISM	350		NO REPORT NECESSARY	13665
VEHICLE THEFT	86		TOTAL	26425
WANTED PERSON	139		22.3% of Calls For Service Required a Report be Made	
WARRANT/PAPER SERVED	123			
WEAPON OFFENSE	19			
WELFARE CHECK	1327			
TOTAL	7957		*Reflects the nature of the call received by 911. May have been determined otherwise after officer arrived on the scene.	
GRAND TOTAL	26425			

ASHEBORO POLICE DEPARTMENT

-CALLS FOR SERVICE BY DAY AND TIME-

Hour	Monday	Tuesday	Wednes- day	Thursday	Friday	Saturday	Sunday	Total
00:00 - 00:59	99	87	79	105	86	149	159	764
01:00 - 01:59	79	93	85	82	94	104	107	644
02:00 - 02:59	62	51	74	72	80	101	117	557
03:00 - 03:59	55	50	54	65	62	65	91	442
04:00 - 04:59	50	40	44	59	58	66	66	383
05:00 - 05:59	44	39	49	63	54	60	52	361
06:00 - 06:59	96	89	90	100	101	61	56	593
07:00 - 07:59	133	119	101	119	150	102	83	807
08:00 - 08:59	167	169	146	148	156	131	91	1008
09:00 - 09:59	188	155	197	178	191	153	116	1178
10:00 - 10:59	206	180	180	170	179	163	122	1200
11:00 - 11:59	183	148	194	175	205	181	138	1224
12:00 - 12:59	180	212	174	206	198	185	164	1319
13:00 - 13:59	225	208	190	189	210	238	186	1446
14:00 - 14:59	223	214	210	169	220	219	188	1443
15:00 - 15:59	241	210	223	249	229	226	161	1539
16:00 - 16:59	225	262	261	279	253	207	195	1682
17:00 - 17:59	241	264	268	267	244	195	206	1685
18:00 - 18:59	239	199	261	273	243	215	206	1636
19:00 - 19:59	200	207	215	210	247	185	204	1468
20:00 - 20:59	173	202	233	187	223	196	168	1382
21:00 - 21:59	185	190	211	185	218	223	190	1402
22:00 - 22:59	153	163	191	174	223	216	154	1274
23:00 - 23:59	125	113	106	146	177	187	134	988
Total by Day	3772	3664	3836	3870	4101	3828	3354	26425

Call Volume 3-Year Comparison:

2016: 25,399

2017: 25,647

2018: 26,425

ASHEBORO POLICE DEPARTMENT

-RESPONSE TIME ANALYSIS FOR TOP TEN CALLS BY VOLUME*-

Nature of Call (# of calls)	Pre- En route	Travel	At Scene	Total Time on Call
Alarm Calls (3961)	1:32	4:23	5:35	8:36
911 Hangup (1568)	2:28	4:47	6:42	11:15
Family Fight (1566)	1:52	4:13	17:15	21:13
Suspicious Person/Veh. (1473)	2:24	4:15	10:26	14:39
Welfare Check (1327)	3:02	4:49	12:27	17:26
Larceny/Theft (1202)	2:24	7:09	39:28	49:44
Citizen Assist (1127)	2:37	5:05	14:57	18:17
Controlled Substance (737)	3:14	5:09	23:56	34:55
Escort (663)	2:25	6:29	18:12	22:28
Burglary (642)	9:22	5:21	23:45	33:28

Average Response Time Analysis for All Calls:

Pre-En route: **03:19** At Scene: **18:43**
 Travel: **05:10** Total: **24:26**

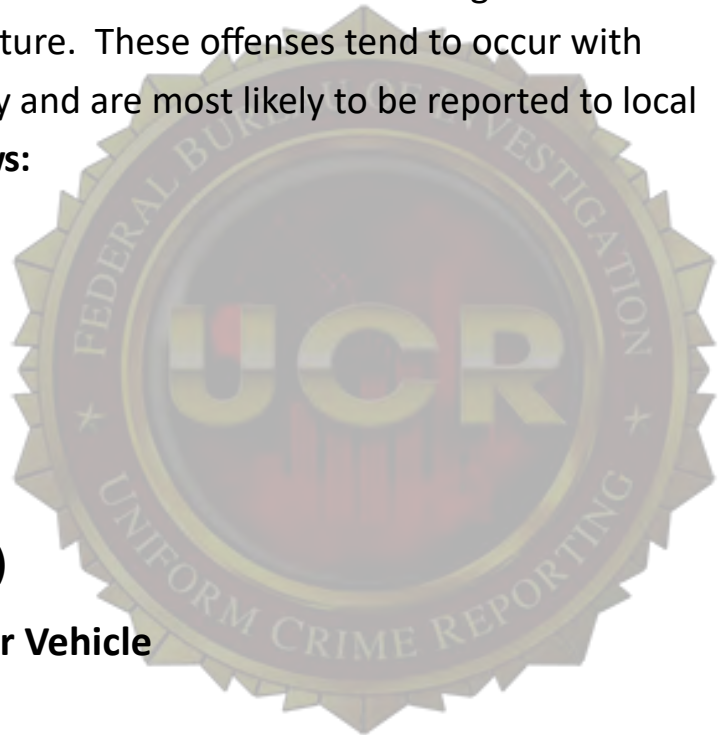
*Not including Animal
 or Traffic Related calls.
 All call times given in
 minutes.

ASHEBORO POLICE DEPARTMENT

-INCIDENT/OFFENSE REPORTING-

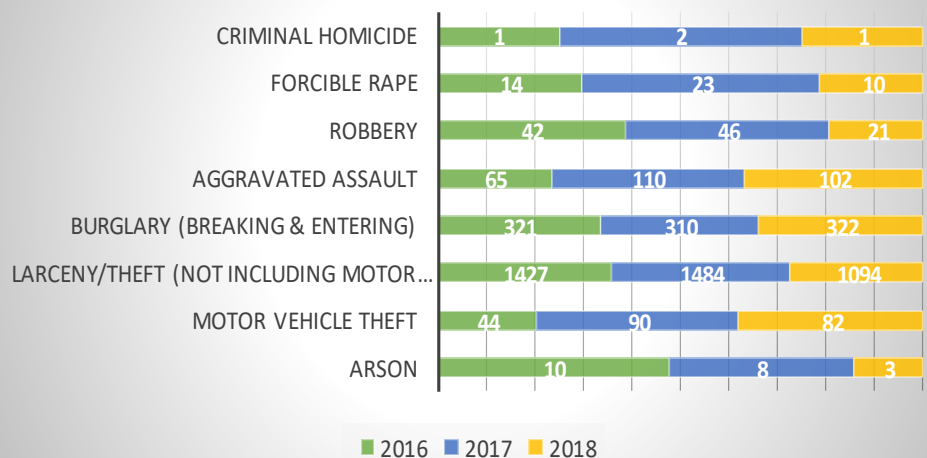
The FBI Uniform Crime Reporting (UCR) divides crimes into Part I and Part II Offenses. **Arrest data only** is collected and provided to the UCR Program for Part II Crimes. The UCR Program collects data about Part I offenses in order to measure the level and scope of crime occurring throughout the entire nation. The UCR Program chose these offenses because they are serious in nature. These offenses tend to occur with regularity in all areas across the country and are most likely to be reported to local police. **The Part I offenses are as follows:**

- Criminal Homicide
- Forcible Rape
- Robbery
- Aggravated Assault
- Burglary (Breaking or Entering)
- Larceny-Theft (Excluding Motor Vehicle Theft)
- Motor Vehicle Theft



While UCR collects data for Part I Crimes only, the IBASE (Incident Based Database), which is currently in use at Asheboro Police Department, allows for all offenses that occurred during an incident to be recorded.

PART ONE OFFENSES



ASHEBORO POLICE DEPARTMENT

-REPORTED PART I OFFENSES-

PART ONE CRIME	REPORTED	ACT	INA	CAA	EXP	CLO	UNF	TRA
Criminal Homicide	1	0	0	1	0	0	0	0
Forcible Rape	10	1	0	1	7	0	1	0
Robbery	21	5	2	8	6	0	0	0
Aggravated Assault	102	8	4	61	27	0	2	0
Burglary (Breaking & Entering)	322	125	66	61	69	0	1	0
Larceny/Theft (not including motor vehicle theft)	1094	345	198	310	221	8	12	0
Motor Vehicle Theft	82	39	4	16	20	1	2	0
Arson	3	1	0	0	1	0	1	0

- ♦ There were a total of 1,635 Part I Offenses reported to the Asheboro Police Department on 1,293 Incidents.
- ♦ There were a total of 8,393 Total Offenses reported to the Asheboro Police Department on 5,888 Incidents.
- ♦ The Part I Offenses make up 19.5% of all offenses reported.

ACT= ACTIVE
 INA = INACTIVE
 CAA = CLEARED BY ARREST
 EXP = EXCEPTIONALLY CLEARED
 CLO = CLOSED
 UNF = UNFOUNDED
 TRA = TRANSFERRED TO ANOTHER AGENCY

ASHEBORO POLICE DEPARTMENT

-ARREST TIME ANALYSIS-

HOURL	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	TOTAL
00:00-00:59	13	11	7	16	13	15	23	98
01:00-01:59	14	5	18	10	11	18	22	98
02:00-02:59	5	3	7	9	12	15	16	67
03:00-03:59	2	5	11	11	5	9	10	53
04:00-04:59	6	4	8	8	8	13	9	56
05:00-05:59	1	1	3	4	2	3	3	17
06:00-06:59	1	3	0	4	4	5	7	24
07:00-07:59	2	2	1	2	2	6	0	15
08:00-08:59	8	12	2	10	5	5	7	49
09:00-09:59	11	8	17	8	9	9	7	69
10:00-10:59	6	14	11	16	14	8	8	77
11:00-11:59	16	17	13	14	19	12	8	99
12:00-12:59	16	6	13	11	17	5	8	76
13:00-13:59	17	18	15	14	12	8	19	103
14:00-14:59	13	13	15	13	18	8	17	97
15:00-15:59	17	20	18	19	17	15	10	116
16:00-16:59	26	21	22	12	15	10	10	116
17:00-17:59	4	12	11	17	13	12	4	73
18:00-18:59	10	19	16	23	17	16	9	110
19:00-19:59	13	21	15	9	11	12	5	86
20:00-20:59	12	15	17	12	11	18	10	95
21:00-21:59	20	18	13	15	22	16	14	118
22:00-22:59	12	18	19	20	27	16	18	130
23:00-23:59	10	13	20	12	25	23	10	113
TOTAL BY DAY	255	279	292	289	309	277	254	1955

2016: 1817

Total Arrests 3-Year Comparison:

2017: 1836

2018: 1955

ASHEBORO POLICE DEPARTMENT

-MOST COMMON ARREST OFFENSES CHARGED-

OFFENSE/DESCRIPTION	NUMBER OF OFFENSES CHARGED
Drug Charges (including: possession/selling/ manufacturing/trafficking)	721
Failure to Appear In Court (Felony/Misdemeanor)	630
Larceny (including: misdemeanor, felony, Aid & Abet, Habitual)	428
Assaults (All)	407
Possession of Drug Paraphernalia	362
Possession of Stolen Property	290
Resist/Delay/Obstruct	169
Trespass (including 1st & 2nd degree/ Domestic Criminal)	110
Driving While Impaired	103
Driving While License Revoked	101
Total	3,321

The Asheboro Police Department charged a total of 4,662 offenses on 1,955 physical arrests. The above offenses represent 71.2% of all offenses charged. While not the most serious in nature, they are most commonly charged.

ASHEBORO POLICE DEPARTMENT

-IN-SERVICE TRAINING/LICENSE PLATE READER-

Employees of the Asheboro Police Department are required to complete multiple in-service classes and training each year. Total number of training hours for 2018 was 13,398. This total includes team level training, City of Asheboro Mandatory training, SWAT training, mandatory in-service training, and specialized schools. This is an average of 160 hours of training per employee.



The License Plate Reader (LPR) is a device that was purchased by the department in 2017. The LPR uses cameras and computer technology to compare digital images of license plates to lists of known plates of interest. The Asheboro Police Department has utilized the technology in the furtherance of our efforts to locate and apprehend criminal suspects.

The LPR has located the following incidents for the year of 2018:

03-14-2018: Stolen North Carolina Registration Plate, which was reported stolen to the Randolph County Sheriff's Office, was located after a hit by the LPR.

06-19-2018: Stolen North Carolina Registration Plate, which was reported stolen to the Henderson Police Department (NC), was located after a hit by the LPR.

08-02-2018: Stolen Motor Vehicle, which was reported stolen to the Asheboro Police Department, was located after a hit by the LPR.

08-11-2018: Stolen Motor Vehicle, which was reported stolen to the Lebanon Police Department (TN), was located after a hit by the LPR.

09-19-2018: Stolen North Carolina Registration Plate, which was reported stolen to the Asheboro Police Department, was located after a hit by the LPR.

10-17-2018: Stolen Motor Vehicle, which was reported stolen to the High Point Police Department, was located after a hit by the LPR.

11-16-2018: Stolen North Carolina Registration Plate, which was reported stolen to the Charlotte-Mecklenburg Police Department, was located after a hit by the LPR. During this arrest officers seized cocaine, methamphetamine, heroin and marijuana.

ASHEBORO POLICE DEPARTMENT

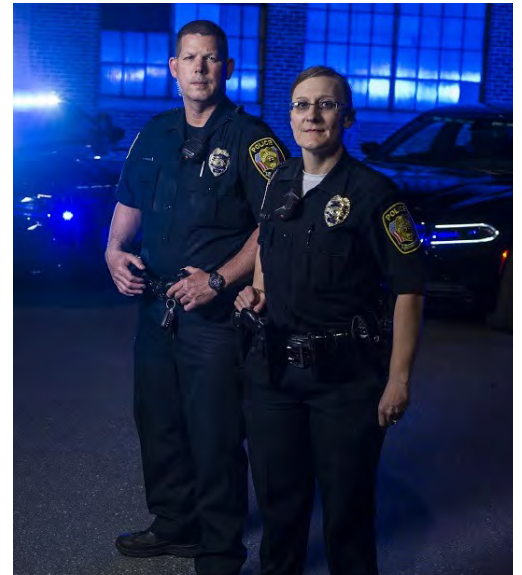
-PATROL OPERATIONS-



The most highly visible component of the Asheboro Police Department is the Uniformed Patrol Division. The Patrol Division consists of four patrol teams, which operate on a rotating schedule. Each team is comprised of six

officers who are supervised by a Lieutenant and a Sergeant for a total of eight per shift.

The Asheboro Police Department uses its patrol officers to reduce criminal activity and maximize



the quality of life for the citizens of Asheboro. Our officers enhance the service provided to our citizens by maintaining visibility, engaging citizens, stopping crime, and responding to calls for service. On average, the uniformed Patrol Division responds to approximately 500 calls for service per week.

ASHEBORO POLICE DEPARTMENT

-A TEAM PATROL STATISTICS-

CATEGORY	YEARLY TOTAL	CATEGORY	YEARLY TOTAL
Miles Traveled	94455.1	Pedestrians/Motorists Assist	84
Regular Hours Worked	13729.5	Domestic Calls	312
Surveillance Hours Conducted	12.5	Disturbance/Fight Calls	61
Training Hours	202	Alarm Calls	748
Hours in Court	81	Escorts	188
Public Contacts	2775	Juvenile Cases Investigated	19
Public Service Program/ Presentations	0	Miscellaneous Calls	3266
Community Watch Meetings Attended	2	Incident Reports Taken	774
Foot Patrols Conducted (Minutes)	13002	Miscellaneous Reports (all other)	807
Field Interviews	5810	Assist other Officer(s)	1893
Warrants Drawn	254	Firearms Seized	9
Attempt Warrant Service	125	Other Weapons Seized	3
Warrants/Orders/Summons Served	839	Money Seized	20
Search Warrants Drawn	21	Vehicles Seized (Drug/Chase/DWI)	4
Search Warrants Served	5	Control Substance Seized (Weight)	118.1
Consent Searches Conducted	22	Cocaine Seized (Weight)	18.1
Involuntary Commitments	58	Marijuana Seized (Weight)	453.75
On-View Arrests	265	Heroin Seized (Weight)	5.1
DWI Arrests	30	Methamphetamine Seized (Weight)	29
Other Traffic Related Arrests	0	Prescription Pills (Unit Dosages)	96
Traffic Citations	1253	Drug Paraphernalia Seized(#of items)	80
Criminal Citations	231	Recovered Stolen Property (\$)	13000
Parking Citations	6	Assist Vice/Narcotics	6
Wildlife Citations	0	Assist Patrol	7
Boating Citations	0	Assist CID	15
Warnings Given (Verbal/Written)	486	Assist Traffic	13
Traffic Accident Calls/Investigations	166	Assist Oth. Law Enforcement Agency	15
Traffic Direction	33		

ASHEBORO POLICE DEPARTMENT

-B TEAM PATROL STATISTICS-

CATEGORY	YEARLY TOTAL	CATEGORY	YEARLY TOTAL
Miles Traveled	107355	Pedestrians/Motorists Assist	175
Regular Hours Worked	13780.5	Domestic Calls	301
Surveillance Hours Conducted	19	Disturbance/Fight Calls	270
Training Hours	727.5	Alarm Calls	901
Hours in Court	32	Escorts	285
Public Contacts	2094	Juvenile Cases Investigated	43
Public Service Program/ Presentations	1	Miscellaneous Calls	3618
Community Watch Meetings Attended	0	Incident Reports Taken	691
Foot Patrols Conducted (Minutes)	14598	Miscellaneous Reports (all other)	675
Field Interviews	3971	Assist other Officer(s)	378
Warrants Drawn	227	Firearms Seized	4
Attempt Warrant Service	64	Other Weapons Seized	1
Warrants/Orders/Summons Served	911	Money Seized	1817
Search Warrants Drawn	5	Vehicles Seized (Drug/Chase/DWI)	0
Search Warrants Served	0	Control Substance Seized (Weight)	87.2
Consent Searches Conducted	49	Cocaine Seized (Weight)	269.92
Involuntary Commitments	49	Marijuana Seized (Weight)	138.11
On-View Arrests	320	Heroin Seized (Weight)	5.3
DWI Arrests	11	Methamphetamine Seized (Weight)	3.91
Other Traffic Related Arrests	0	Prescription Pills (Unit Dosages)	15
Traffic Citations	1464	Drug Paraphernalia Seized(#of items)	49
Criminal Citations	223	Recovered Stolen Property (\$)	5675.96
Parking Citations	14	Assist Vice/Narcotics	1
Wildlife Citations	0	Assist Patrol	0
Boating Citations	0	Assist CID	9
Warnings Given (Verbal/Written)	573	Assist Traffic	17
Traffic Accident Calls/Investigations	188	Assist Oth. Law Enforcement Agency	40
Traffic Direction	48		

ASHEBORO POLICE DEPARTMENT

-C TEAM PATROL STATISTICS-

CATEGORY	YEARLY TOTAL	CATEGORY	YEARLY TOTAL
Miles Traveled	99325	Pedestrians/Motorists Assist	106
Regular Hours Worked	13969.5	Domestic Calls	161
Surveillance Hours Conducted	12	Disturbance/Fight Calls	227
Training Hours	329.5	Alarm Calls	845
Hours in Court	50	Escorts	215
Public Contacts	2674	Juvenile Cases Investigated	9
Public Service Program/ Presentations	25	Miscellaneous Calls	3607
Community Watch Meetings Attended	4	Incident Reports Taken	782
Foot Patrols Conducted (Minutes)	9952	Miscellaneous Reports (all other)	1054
Field Interviews	3948	Assist other Officer(s)	2743
Warrants Drawn	308	Firearms Seized	13
Attempt Warrant Service	261	Other Weapons Seized	2
Warrants/Orders/Summons Served	1217	Money Seized	0
Search Warrants Drawn	3	Vehicles Seized (Drug/Chase/DWI)	0
Search Warrants Served	2	Control Substance Seized (Weight)	69
Consent Searches Conducted	16	Cocaine Seized (Weight)	.1
Involuntary Commitments	85	Marijuana Seized (Weight)	90.4
On-View Arrests	344	Heroin Seized (Weight)	.2
DWI Arrests	22	Methamphetamine Seized (Weight)	124.2
Other Traffic Related Arrests	4	Prescription Pills (Unit Dosages)	52
Traffic Citations	1115	Drug Paraphernalia Seized(#of items)	63
Criminal Citations	135	Recovered Stolen Property (\$)	333
Parking Citations	13	Assist Vice/Narcotics	3
Wildlife Citations	0	Assist Patrol	1
Boating Citations	0	Assist CID	2
Warnings Given (Verbal/Written)	615	Assist Traffic	1
Traffic Accident Calls/Investigations	204	Assist Oth. Law Enforcement Agency	14
Traffic Direction	17		

ASHEBORO POLICE DEPARTMENT

-D TEAM PATROL STATISTICS-

CATEGORY	YEARLY TOTAL	CATEGORY	YEARLY TOTAL
Miles Traveled	109293	Pedestrians/Motorists Assist	100
Regular Hours Worked	13110.25	Domestic Calls	353
Surveillance Hours Conducted	6.5	Disturbance/Fight Calls	128
Training Hours	212.3	Alarm Calls	871
Hours in Court	85	Escorts	656
Public Contacts	4623	Juvenile Cases Investigated	39
Public Service Program/ Presentations	0	Miscellaneous Calls	3609
Community Watch Meetings Attended	2	Incident Reports Taken	867
Foot Patrols Conducted (Minutes)	11969	Miscellaneous Reports (all other)	833
Field Interviews	5480	Assist other Officer(s)	2936
Warrants Drawn	342	Firearms Seized	4
Attempt Warrant Service	210	Other Weapons Seized	1
Warrants/Orders/Summons Served	1291	Money Seized	34
Search Warrants Drawn	2	Vehicles Seized (Drug/Chase/DWI)	1423
Search Warrants Served	0	Control Substance Seized (Weight)	2.5
Consent Searches Conducted	39	Cocaine Seized (Weight)	7.9
Involuntary Commitments	77	Marijuana Seized (Weight)	89
On-View Arrests	192	Heroin Seized (Weight)	2.21
DWI Arrests	17	Methamphetamine Seized (Weight)	9.57
Other Traffic Related Arrests	1	Prescription Pills (Unit Dosages)	9
Traffic Citations	1210	Drug Paraphernalia Seized(#of items)	73
Criminal Citations	103	Recovered Stolen Property (\$)	13603.57
Parking Citations	15	Assist Vice/Narcotics	7
Wildlife Citations	0	Assist Patrol	0
Boating Citations	0	Assist CID	11
Warnings Given (Verbal/Written)	713	Assist Traffic	19
Traffic Accident Calls/Investigations	199	Assist Oth. Law Enforcement Agency	51
Traffic Direction	58		

ASHEBORO POLICE DEPARTMENT -CRIMINAL INVESTIGATION DIVISION (CID)-

Asheboro Police Criminal Investigation Division:

“Striving to develop pride and professionalism through the leadership, knowledge, and skills of each investigator, while providing a professional service to the citizens of Asheboro.”



ASHEBORO POLICE DEPARTMENT

-CRIMINAL INVESTIGATION DIVISION (CID)-

CATEGORY	YEARLY TOTAL	CATEGORY	YEARLY TOTAL
Miles Traveled	42007	Consent Searches	13
Regular Hours Worked	17773	Search Warrants Drawn	21
Comp. Hours Worked	489.5	Search Warrants Served	17
Overtime Hours Worked	61	Persons Fingerprinted	16
Cases Assigned	651	Prisoners Processed	2
Juvenile Cases Assigned	68	Crime Scene Processed	55
Cases Brought Forward (Arrest)	68	Stolen Property Recovered (\$)	48708
Cases Brought Forward (Other)	283	Vice/Narcotics Raids	0
Cases Cleared (Arrest)	63	Special Assignments	16
Cases Cleared (Other)	161	Assist Other Officers	323
Arrest Warrants Drawn	366	Assist Out of Town Officers	17
Warrants Served	14	Prosecution Summaries	100
Follow-up Reports	736	Hours in Court/Grand Jury	262
Incident Reports Taken	27	Control Substance Seized	7
Prisoners Processed (prints/photo)	0	Interagency Meetings	110
Interviews/Office	483	Clearance Rate (Month)	80%
Field Interviews	711	Percent Cleared by Arrest	23%
Called Out Investigations	42	Percent Cleared by Other	77%

ASHEBORO POLICE DEPARTMENT

-TRAFFIC ENFORCEMENT UNIT-

The Traffic Enforcement Unit investigates traffic crashes in an effort to relieve patrol from the majority of this duty. The Traffic Enforcement Unit investigates all traffic fatalities and all accident reconstruction. They offer services to the public of installing and checking for proper installation of child safety seats. The Traffic Enforcement Unit also handles traffic for special events held within the City of Asheboro. They work with the Governor's Highway Safety Program in an effort to reduce DWI violations.

The Traffic Enforcement Unit investigated 60.8% of traffic collisions that occurred in the city of Asheboro.



ASHEBORO POLICE DEPARTMENT

-TRAFFIC ENFORCEMENT UNIT STATISTICS-

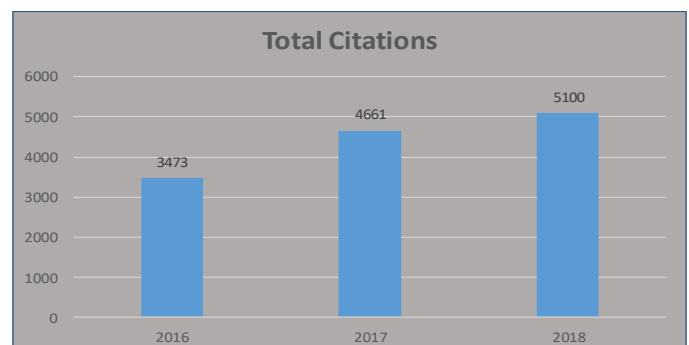
CATEGORY	YEARLY	CATEGORY	YEARLY
Miles Traveled	55078	Pedestrians/Motorists Assist	350
Regular Hours Worked	8044.5	Domestic Calls	2
Surveillance Hours Conducted	0	Disturbance/Fight Calls	3
Training Hours	712.5	Alarm Calls	33
Hours in Court	188	Escorts	16
Public Contacts	170	Juvenile Cases Investigated	1
Public Service Program/ Presentations	15	Miscellaneous Calls	651
Community Watch Meetings Attended	0	Incident Reports Taken	42
Foot Patrols Conducted (Minutes)	107	Miscellaneous Reports (all other)	401
Field Interviews	3335	Assist other Officer(s)	696
Warrants Drawn	17	Firearms Seized	0
Attempt Warrant Service	5	Other Weapons Seized	0
Warrants/Orders/Summons Served	46	Money Seized	0
Search Warrants Drawn	8	Vehicles Seized (Drug/Chase/DWI)	0
Search Warrants Served	0	Control Substance Seized (Weight)	0
Consent Searches Conducted	0	Cocaine Seized (Weight)	0
Involuntary Commitments	0	Marijuana Seized (Weight)	8.8
On-View Arrests	6	Heroin Seized (Weight)	0
DWI Arrests	14	Methamphetamine Seized (Weight)	0
Other Traffic Related Arrests	3	Prescription Pills (Unit Dosages)	0
Traffic Citations	2169	Drug Paraphernalia Seized(#of items)	0
Criminal Citations	5	Recovered Stolen Property (\$)	0
Parking Citations	43	Assist Vice/Narcotics	8
Wildlife Citations	0	Assist Patrol	210
Boating Citations	0	Assist CID	1
Warnings Given (Verbal/Written)	340	Assist Traffic	45
Traffic Accident Calls/Investigations	1234	Assist Oth. Law Enforcement Agency	27
Traffic Direction	288		

ASHEBORO POLICE DEPARTMENT

-TRAFFIC CITATIONS by Day and Time-

HOURL	Monday	Tuesday	Wednes- day	Thursday	Friday	Saturday	Sunday	TOTAL
00:00-00:59	5	3	4	7	10	8	19	56
01:00-01:59	12	13	7	12	9	12	24	89
02:00-02:59	10	7	7	7	8	11	16	66
03:00-03:59	3	7	4	7	6	9	10	46
04:00-04:59	4	3	5	1	5	5	5	28
05:00-05:59	3	4	6	5	5	2	2	27
06:00-06:59	11	13	10	6	11	1	6	58
07:00-07:59	27	25	29	22	30	21	8	162
08:00-08:59	49	49	44	28	41	31	16	258
09:00-09:59	52	34	50	49	44	36	43	308
10:00-10:59	48	56	66	48	73	47	73	411
11:00-11:59	67	47	64	82	53	47	35	395
12:00-12:59	47	42	51	65	58	63	35	361
13:00-13:59	50	40	64	55	53	46	27	335
14:00-14:59	56	66	68	49	56	46	33	374
15:00-15:59	50	71	63	79	53	35	30	381
16:00-16:59	42	47	61	54	50	30	16	300
17:00-17:59	28	41	33	22	36	37	15	212
18:00-18:59	22	22	20	21	37	39	20	181
19:00-19:59	31	36	19	29	26	51	19	211
20:00-20:59	27	38	29	38	31	52	31	246
21:00-21:59	26	30	33	29	38	37	24	217
22:00-22:59	23	29	35	21	28	38	22	196
23:00-23:59	29	26	24	11	28	50	14	182
TOTAL BY DAY	722	749	796	747	789	754	543	5100

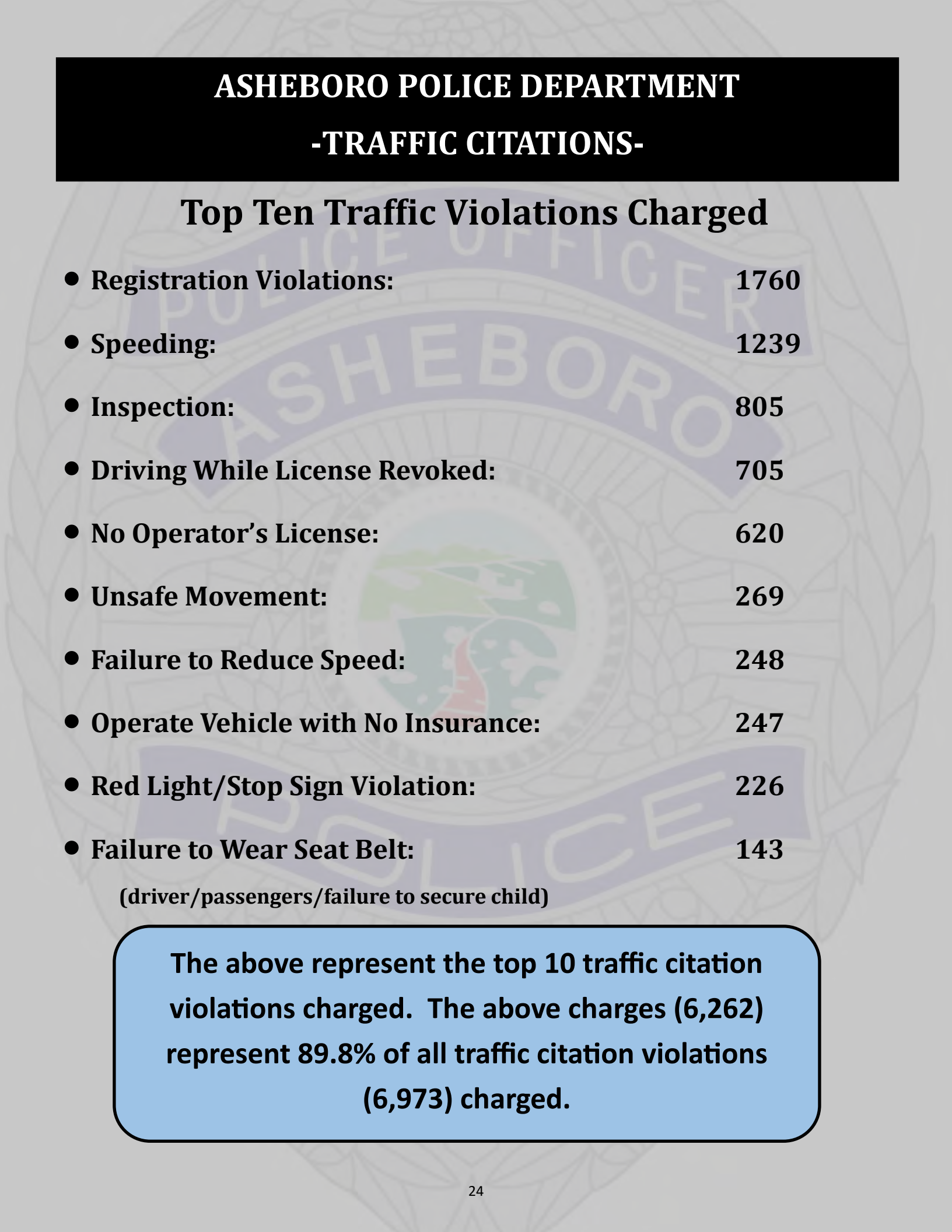
**There were 5,100 Traffic Citations
written on 6,973 offenses.
Most traffic citations are written
on Friday.**



ASHEBORO POLICE DEPARTMENT

-TRAFFIC CITATIONS-

Top Ten Traffic Violations Charged



● Registration Violations:	1760
● Speeding:	1239
● Inspection:	805
● Driving While License Revoked:	705
● No Operator's License:	620
● Unsafe Movement:	269
● Failure to Reduce Speed:	248
● Operate Vehicle with No Insurance:	247
● Red Light/Stop Sign Violation:	226
● Failure to Wear Seat Belt:	143

(driver/passengers/failure to secure child)

The above represent the top 10 traffic citation violations charged. The above charges (6,262) represent 89.8% of all traffic citation violations (6,973) charged.

ASHEBORO POLICE DEPARTMENT

-TRAFFIC ACCIDENTS by Day and Time-

HOURL	Monday	Tuesday	Wednes- day	Thursday	Friday	Saturday	Sunday	TOTAL
00:00-00:59	1	4	3	1	0	6	4	19
01:00-01:59	1	2	2	1	2	0	2	10
02:00-02:59	2	0	4	0	1	4	3	14
03:00-03:59	0	1	0	1	3	2	1	8
04:00-04:59	1	1	1	2	1	2	2	10
05:00-05:59	0	1	2	3	2	1	1	10
06:00-06:59	5	6	2	6	7	1	2	29
07:00-07:59	8	9	9	10	16	9	1	62
08:00-08:59	14	14	10	7	11	4	1	61
09:00-09:59	23	10	8	16	14	8	5	84
10:00-10:59	14	16	15	9	13	19	4	90
11:00-11:59	23	13	28	12	29	16	10	131
12:00-12:59	25	23	17	32	35	17	13	162
13:00-13:59	21	25	31	21	30	21	16	165
14:00-14:59	21	19	21	9	31	21	9	131
15:00-15:59	27	25	30	33	27	15	8	165
16:00-16:59	23	26	29	36	34	14	16	178
17:00-17:59	19	28	26	22	31	11	8	145
18:00-18:59	14	15	30	27	22	10	7	125
19:00-19:59	6	6	11	14	11	14	15	77
20:00-20:59	4	8	11	7	7	6	9	52
21:00-21:59	1	9	9	5	8	9	4	45
22:00-22:59	2	3	12	7	8	4	7	43
23:00-23:59	2	0	2	3	10	2	0	19
TOTAL BY DAY	257	264	313	284	353	216	148	1835

Traffic Accidents occur
most often:

FRIDAY (19.2%)
BETWEEN THE HOURS OF
16:00—16:59 (9.7%)

ASHEBORO POLICE DEPARTMENT

-TRAFFIC ACCIDENTS-

Most Frequent Traffic Accident Locations

Road Name	PVA (parking lot area)	Non-Intersection	Intersection	Total Accidents	% of Yearly Total
Dixie Drive	255	266	33	554	30.2%
Fayetteville Street	120	141	45	306	16.7%
Salisbury Street	22	49	24	95	5.2%
I 73/74	0	65	12	77	4.2%
NC Hwy 49 S	14	23	5	42	2.3%

The top 5 Accident Locations total 1,074 crashes, which represent 58.5% of all Accident Reports taken for 2018.

Road Character for Traffic Accidents:

Intersection Accidents:	290
PVA Accidents:	625
Non-Intersections Accidents:	920
Total Accidents:	1835

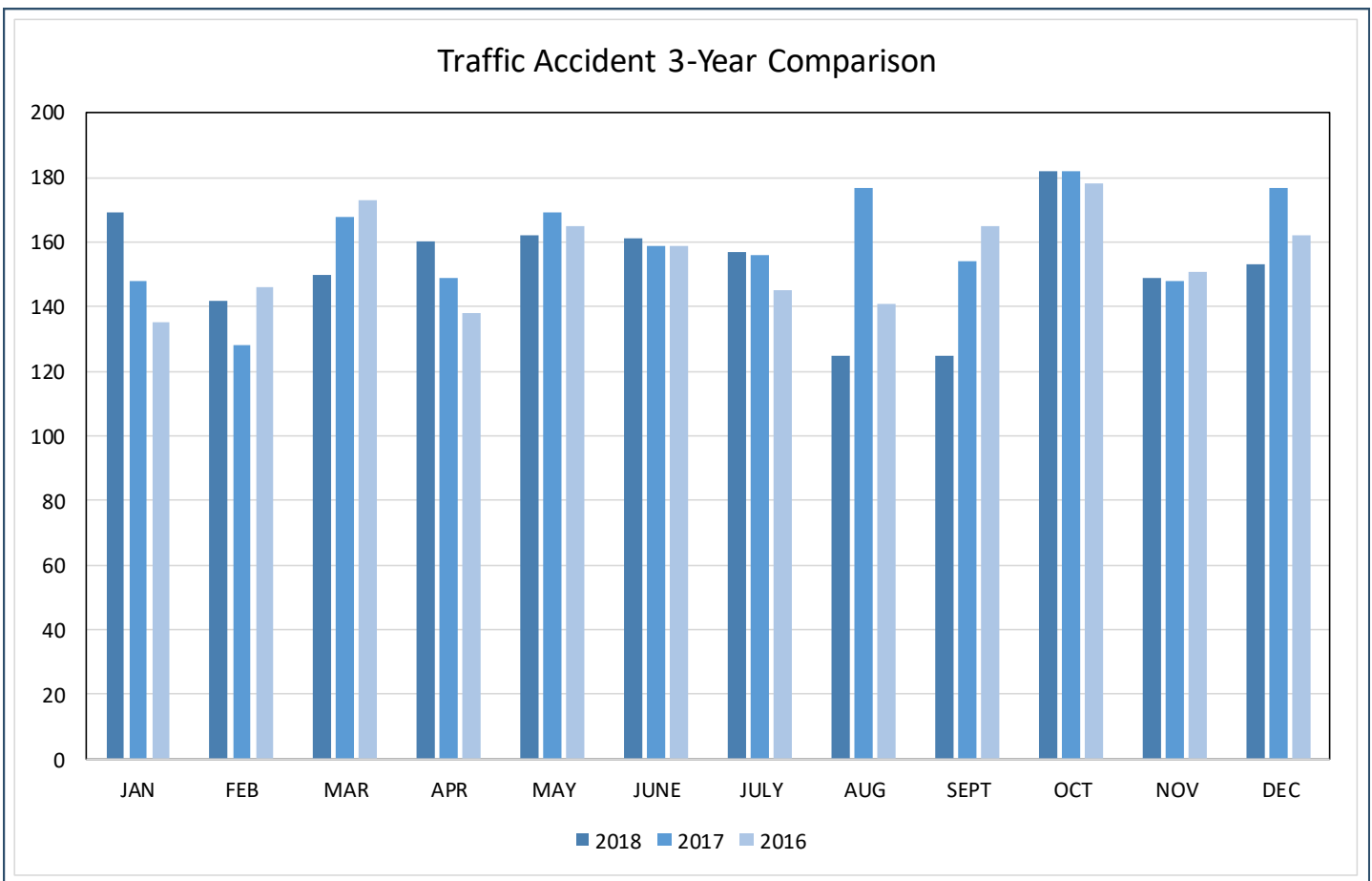
Top 10 Most Frequent Contributing Circumstances for Traffic Accidents

Contributing Circumstance	Total Accidents
Failure to Reduce Speed	440
Improper Backing	332
Fail to Yield Right of Way	254
Inattention	229
No Contributing Circumstances	139
Improper Turn	100
Improper Lane Change	99
Other	92
Unable to Determine	88
Disregarded Traffic Signal/Signs	88

ASHEBORO POLICE DEPARTMENT

-TRAFFIC ACCIDENT 3-YEAR COMPARISON-

YEAR	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
2018	169	142	150	160	162	161	157	125	125	182	149	153	1835
2017	148	128	168	149	169	159	156	177	154	182	148	177	1915
2016	135	146	173	138	165	159	145	141	165	178	151	162	1858



ASHEBORO POLICE DEPARTMENT

-TRAFFIC ACCIDENTS-

Traffic Accidents - by Collision Type

<u>Collision Type</u>	<u>Total Accidents</u>	<u>% Distribution</u>
Backing	273	14.9%
Head On	14	0.8%
Improper Lane Change	150	8.2%
Left Turn	164	8.9%
Motor Vehicle/Bicycle	4	0.2%
Motor Vehicle/Fixed Object	254	13.8%
Motor Vehicle/Hit & Run	185	10.1%
Motor Vehicle/Parked Vehicle	162	8.8%
Motor Vehicle/Pedestrian	29	1.6%
Rear End	419	22.8%
Right Turn	48	2.6%
Traffic Signal/Stop/Yield Sign	133	7.2%

Traffic Accident Summary	2018	2017	2016
Total Accidents	1835	1915	1858
Injury Accidents	300	343	297
Fatality Accidents	0	3	1
Property Damage Only Accidents	1535	1569	1560
Estimated Damage Amount	\$5,006,473.00	\$5,432,379.00	\$5,211,240.00

ASHEBORO POLICE DEPARTMENT

-COMMUNITY RESOURCES TEAM (CRT)-



In 2018 the Asheboro Police Department's Community Resource Team (CRT) was involved in a variety of community functions and continued to develop relationships and provide a professional police service to all the citizens of Asheboro. CRT attended 40 special community events throughout the year to include 5K run/walks, downtown festivals/parades, National Night Out and other organized community days and celebrations. CRT attended and participated in monthly community watch meetings and has

partnered with 30 community watch groups throughout the city. CRT partnered with local ministries (Shenkiah Glory, Salvation Army,



Shelter of Hope, Toys for Tots) to participate in food and toy drives. CRT provided safety presentations throughout the year to local community groups and businesses. CRT partnered with Communities in Schools to help raise funds for children unable to attend educational opportunities outside the classroom. CRT partnered with Randolph County Partnership for Children and participated in a monthly reading program for kids.

ASHEBORO POLICE DEPARTMENT -COMMUNITY RESOURCES TEAM (CRT)-



ASHEBORO POLICE DEPARTMENT

-COMMUNITY RESOURCES TEAM (CRT) STATISTICS-

CATEGORY	YEARLY	CATEGORY	YEARLY
Miles Traveled	48188	Pedestrians/Motorists Assist	149
Regular Hours Worked	7197.2	Domestic Calls	156
Surveillance Hours Conducted	6	Disturbance/Fight Calls	158
Training Hours	306	Alarm Calls	182
Hours in Court	17.5	Escorts	205
Public Contacts	1624	Juvenile Cases Investigated	10
Public Service Program/ Presentations	198	Miscellaneous Calls	323
Community Watch Meetings Attended	107	Incident Reports Taken	9
Foot Patrols Conducted (Minutes)	16473	Miscellaneous Reports (all other)	12
Field Interviews	567	Assist other Officer(s)	825
Warrants Drawn	1	Firearms Seized	0
Attempt Warrant Service	0	Other Weapons Seized	1
Warrants/Orders/Summons Served	6	Money Seized	0
Search Warrants Drawn	0	Vehicles Seized (Drug/Chase/DWI)	0
Search Warrants Served	0	Control Substance Seized (Weight)	0
Consent Searches Conducted	0	Cocaine Seized (Weight)	0
Involuntary Commitments	0	Marijuana Seized (Weight)	0
On-View Arrests	2	Heroin Seized (Weight)	0
DWI Arrests	0	Methamphetamine Seized (Weight)	0
Other Traffic Related Arrests	0	Prescription Pills (Unit Dosages)	0
Traffic Citations	73	Drug Paraphernalia Seized(#of items)	0
Criminal Citations	0	Recovered Stolen Property (\$)	0
Parking Citations	31	Assist Vice/Narcotics	0
Wildlife Citations	0	Assist Patrol	767
Boating Citations	0	Assist CID	51
Warnings Given (Verbal/Written)	243	Assist Traffic	3
Traffic Accident Calls/Investigations	1	Assist Oth. Law Enforcement Agency	0
Traffic Direction	159		

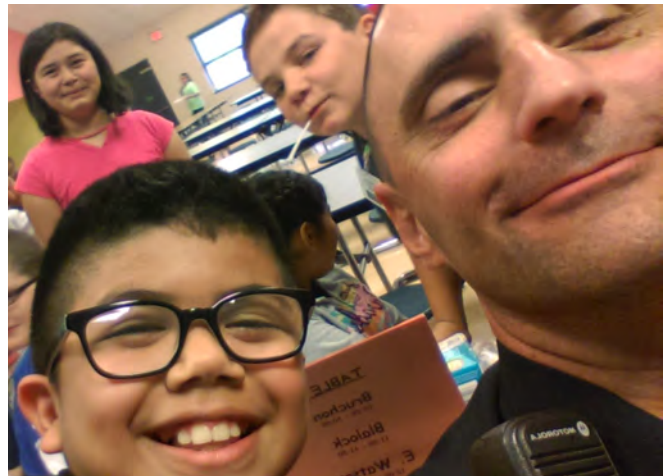
ASHEBORO POLICE DEPARTMENT

-SPECIAL SERVICES-



Special Services is organized under Field Operations. They offer a variety of services to the citizens of Asheboro School Resource Officers, the DARE Officer, and Park Ranger are all part of Special Services. School Resource Officers are assigned to South Asheboro Middle School, North Asheboro Middle School, and Asheboro High School. However their

services are utilized at all Asheboro City Schools as needed and at after school events. The Park Ranger offers a wide variety of services from patrolling city lakes to providing a secure environment at city parks. Special Services work special events during the year throughout the city and are an asset to the community.



ASHEBORO POLICE DEPARTMENT

-SPECIAL SERVICES STATISTICS-

CATEGORY	YEARLY TOTAL	CATEGORY	YEARLY TOTAL
Miles Traveled	57201.4	Pedestrians/Motorists Assist	51
Regular Hours Worked	11980	Domestic Calls	26
Surveillance Hours Conducted	0	Disturbance/Fight Calls	17
Training Hours	664	Alarm Calls	98
Hours in Court	32	Escorts	69
Public Contacts	81	Juvenile Cases Investigated	41
Public Service Program/ Presentations	398	Miscellaneous Calls	304
Community Watch Meetings Attended	2	Incident Reports Taken	51
Foot Patrols Conducted (Minutes)	2260	Miscellaneous Reports (all other)	448
Field Interviews	552	Assist other Officer(s)	379
Warrants Drawn	4	Firearms Seized	0
Attempt Warrant Service	4	Other Weapons Seized	0
Warrants/Orders/Summons Served	15	Money Seized	0
Search Warrants Drawn	3	Vehicles Seized (Drug/Chase/DWI)	0
Search Warrants Served	1	Control Substance Seized (Weight)	0
Consent Searches Conducted	6	Cocaine Seized (Weight)	0
Involuntary Commitments	9	Marijuana Seized (Weight)	5
On-View Arrests	4	Heroin Seized (Weight)	0
DWI Arrests	0	Methamphetamine Seized (Weight)	0
Other Traffic Related Arrests	0	Prescription Pills (Unit Dosages)	0
Traffic Citations	5	Drug Paraphernalia Seized(#of items)	0
Criminal Citations	2	Recovered Stolen Property (\$)	0
Parking Citations	0	Assist Vice/Narcotics	12
Wildlife Citations	0	Assist Patrol	133
Boating Citations	0	Assist CID	0
Warnings Given (Verbal/Written)	22	Assist Traffic	18
Traffic Accident Calls/Investigations	14	Assist Oth. Law Enforcement Agency	0
Traffic Direction	176		

ASHEBORO POLICE DEPARTMENT

-D.A.R.E.-



Officer Paul Maness taught D.A.R.E (Drug Abuse Resistance Education) to 5th grade students at Balfour Elementary, Charles W. McCrary Elementary, Donna Lee Loflin Elementary, Guy B. Teachey Elementary and Lindley Park Elementary in the spring of 2018. He had approximately 380 students in 18 different classrooms.

In the fall of 2018, he taught 7th grade D.A.R.E. classes at North Asheboro Middle School and South Asheboro Middle School. He had approximately 350 students in 16 different classrooms.

Officer Maness also taught the 5th grade D.A.R.E. program at Neighbors Grove Christian Academy and Fayetteville Street Christian School this year. He had approximately 30 students in 2 different classrooms at these schools.

Each grade level program has 10 different lessons and each lesson lasts approximately one hour.

Officer Maness had over 300 classroom contact hours this year with approximately 750 students.

When Officer Maness is not in the classroom he assists with SRO duties in the city schools. During the summer months he was assigned to the patrol division.



ASHEBORO POLICE DEPARTMENT

-ANIMAL CONTROL-

CATEGORY	YEARLY TOTAL	CATEGORY	YEARLY TOTAL
Miles Traveled	21671	Investigative Follow-up Reports	0
Regular Hours Worked	3125	Miscellaneous Reports	0
Comp. Hours Worked	34.5	Welfare Check	254
Training Hours	16	Running At Large	598
Hours in Court	0	Barking	18
Public Service Program	11	Miscellaneous Nuisance	709
Field Interviews	0	Animal(s) Picked Up	340
Civil Citations	4	Dog(s) Picked Up	127
Warnings Given (Written)	17	Cat(s) Picked Up	185
Warnings Given (Verbal)	75	Wildlife Picked Up	28
Assist Other Officers	5	Carcus (DOA)	4
Incident Reports Taken	85	Sick/Injured Animal(s)	8



ASHEBORO POLICE DEPARTMENT

-SPECIAL ENFORCEMENT TEAM (SET)-

The Special Enforcement Team is comprised of four officers and a supervisor. They are responsible for focusing their efforts on reoccurring and patterned criminal activity. SET commonly works street level drug enforcement; however, are flexible in their hours



and may conduct covert or overt operations if an area within the city has experienced an influx in vehicle break-ins or other criminal activity. SET also keeps track of current local fugitives and frequently serves offenders with active arrest papers.

ASHEBORO POLICE DEPARTMENT

-SPECIAL ENFORCEMENT TEAM (SET) STATISTICS-

CATEGORY	YEARLY TOTAL	CATEGORY	YEARLY TOTAL
Miles Traveled	43664	Pedestrians/Motorists Assist	29
Regular Hours Worked	6693.6	Domestic Calls	37
Surveillance Hours Conducted	362.4	Disturbance/Fight Calls	13
Training Hours	635.5	Alarm Calls	48
Hours in Court	150.5	Escorts	18
Public Contacts	30	Juvenile Cases Investigated	4
Public Service Program/ Presentations	5	Miscellaneous Calls	337
Community Watch Meetings Attended	0	Incident Reports Taken	74
Foot Patrols Conducted (Minutes)	4627	Miscellaneous Reports (all other)	254
Field Interviews	2506.5	Assisted Other Officer	308
Warrants Drawn	108	Firearms Seized	7
Attempt Warrant Service	211	Other Weapons Seized	1
Warrants/Orders/Summons Served	432	Money Seized	6344
Search Warrants Drawn	4	Vehicles Seized (Drug/Chase/DWI)	0
Search Warrants Served	4	Control Substance Seized (Weight)	11
Consent Searches Conducted	58	Cocaine Seized (Weight)	6.4
Involuntary Commitments	0	Marijuana Seized (Weight)	481.3
On-View Arrests	53	Heroin Seized (Weight)	22.3
DWI Arrests	1	Methamphetamine Seized (Weight)	37.3
Other Traffic Related Arrests	1	Prescription Pills (Unit Dosages)	68
Traffic Citations	69	Drug Paraphernalia Seized(#of items)	81
Criminal Citations	32	Recovered Stolen Property (\$)	1412
Parking Citations	42	Assist Vice/Narcotics	362
Wildlife Citations	0	Assist Patrol	980
Boating Citations	0	Assist CID	59
Warnings Given (Verbal/Written)	244	Assist Traffic	36
Traffic Accident Calls/Investigations	16	Assist Oth. Law Enforcement Agency	34
Traffic Direction	31		

ASHEBORO POLICE DEPARTMENT

-VICE/NARCOTICS UNIT STATISTICS-

CATEGORY	YEARLY TOTAL	CATEGORY	YEARLY TOTAL
Miles Traveled	39370	Amount Seized cont'd.	
Regular Hours Worked	8270	Ecstasy (Amt)	32.5
Comp Hours Worked	377.5	Ecstasy (Value)	3301
Overtime Hours Worked	61.5	Oxycontin (Amt)	73
Hours in Court on Duty	194	Oxycontin (Value)	1730
Hours Worked out of Town	167	Prescription Drugs	1630
Call-Out Investigations	14	Other (paraphernalia)	138
Offenses Investigated-Drugs	200	Alcohol (Beer) (ounces)	242
Offenses Investigated-Vice	6	Alcohol (Liquor)	10
Offenses Investigated-Prescrip.	3	Weapons Seized	26
Offenses Investigated-Overdose	32	Money Seized	13050
Case Investigative Hours	1844	Vehicles Seized	1
Surveillance Hours	635	Counterfeit Property (gm crack)	2
Interviews	205	Search Warrants Secured	62
Training Hours	1079	Search Warrants Served	55
Controlled Purchases		Takedowns Conducted	6
Cocaine	54	Consent Searches/Knock & Talk	83
Marijuana	10	Warrants Served	177
Other	56	Warrants Obtained	320
Amount Seized		Trash Pulls	109
Cocaine Seized (Amt)	198.9	On-View Arrests	55
Cocaine Seized (Value)	19610	Citations Issued	13
Marijuana Seized (Amt)	5308.92	Criminal Summons	20
Marijuana Seized (Value)	54043	Undercover Purchases	2
Heroin (Amt)	1580.9	Expenditures of Funds	
Heroin (Value)	186938	Drugs	9010.93
Meth (Amt)	80.7	Information	4938.72
Meth (Value)	8020	Investigative Expenses	1160.37

ASHEBORO POLICE DEPARTMENT

-TOTAL DRUGS SEIZED/THREE YEAR COMPARISON-

UNIT/DRUG TYPE	2018	UNIT/DRUG TYPE	2018
CRT/Traffic/Special Services		SET	
Controlled Substance	0	Controlled Substance	11
Cocaine	0	Cocaine	6.4
Marijuana	13.8	Marijuana	481.3
Methamphetamine	0	Methamphetamine	37.3
Heroin	0	Heroin	22.3
Drug Paraphernalia (# of items seized)	0	Drug Paraphernalia (# of items seized)	81
Prescription Pills	0	Prescription Pills	68
PATROL TEAMS		VICE/NARCOTICS	
Controlled Substance	276.8	Controlled Substance	105.5
Cocaine	296.02	Cocaine	198.9
Marijuana	771.26	Marijuana	5308.92
Methamphetamine	166.68	Methamphetamine	80.7
Heroin	12.81	Heroin	1580.9
Drug Paraphernalia (# of items seized)	265	Drug Paraphernalia (# of items seized)	138
Prescription Pills	172	Prescription Pills	1630
DEPARTMENT TOTAL	2016	2017	2018
Controlled Substance	196.6	121.21	393.3
Cocaine	695.03	1141.79	501.32
Marijuana	15410.66	21654.03	6575.28
Methamphetamine	16.76	8269.39	284.68
Heroin	656.31	98.53	1616.01
Drug Paraphernalia (# of items seized)	407	368	484
Prescription Pills	556.3	805.5	1870

ASHEBORO POLICE DEPARTMENT

-ABC LAW ENFORCEMENT ANNUAL REPORT-

Regulatory Activity and Training		
Violations Reports Submitted to ABC Commission	0	
Total Number of Offenses Contained in Reports	0	
Sell to Underage Campaign Checks	20	
Permittee Inspections	66	
Compliance Checks	20	
Seller/Server Training	0	
Alcohol Education	0	
ABC Law Violations	At Permitted Establishment	Away from Permitted Establishment
Sell/Give to Underage	6	0
Attempt to Purchase/Purchase by Underage	0	0
Underage Possession	0	0
Unauthorized Possession	0	0
Sell/Give to Intoxicated	0	0
All Other Alcohol Related Charges	1	2
Total:		9
Controlled Substance Violations	At Permitted Establishment	Away from Permitted Establishment
Felony Drug Related Charges	7	5
Misdemeanor Drug Related Charges	35	5
Total:		52
Other Offenses	At Permitted Establishment	Away from Permitted
Driving While Impaired	2	3
All Other Criminal Charges	5	2
Total:		12
TOTAL CRIMINAL CHARGES:		73
Agencies Assisted		
Assistance Provided to Other Agencies	0	

ASHEBORO POLICE DEPARTMENT

-2018 RETIREMENTS-

2018 RETIREMENTS

MPO Charles Hamilton



10 Years, 2 Months, 15 Days of Service

ASHEBORO POLICE DEPARTMENT

-2018 PROMOTIONS-

<u>Name</u>	<u>Date of Promotion</u>	<u>New Rank/Position</u>
James Briles, Jr	09/01/2018	Master Police Sergeant
Leah Burnette	05/01/2018	Police Officer II
Jeremiah Callicutt	09/01/2018	Master Police Sergeant
John Gregg Deaton	03/01/2018	Police Officer II
Bradley Faw	04/01/2018	Master Police Officer
Traci Fisher	12/01/2018	Police Officer II
Jordan Frost	03/01/2018	Master Police Officer
Jacob Kennedy	03/01/2018	Master Police Officer
Samuel Sesmas, Jr	04/01/2018	Police Officer II
Daniel Shropshire	11/01/2018	Master Police Officer
Matthew Vann	09/01/2018	Master Police Sergeant
Jimmy Wells II	08/01/2018	Master Police Officer
Robert Brown, Jr	07/01/2018	Police Major
Newly Byron Hill	09/01/2018	Master Police Lieutenant
Charles Wagner	09/01/2018	Master Police Lieutenant

ASHEBORO POLICE DEPARTMENT

-2018 RETIREMENTS/PROMOTIONS-



ASHEBORO POLICE DEPARTMENT

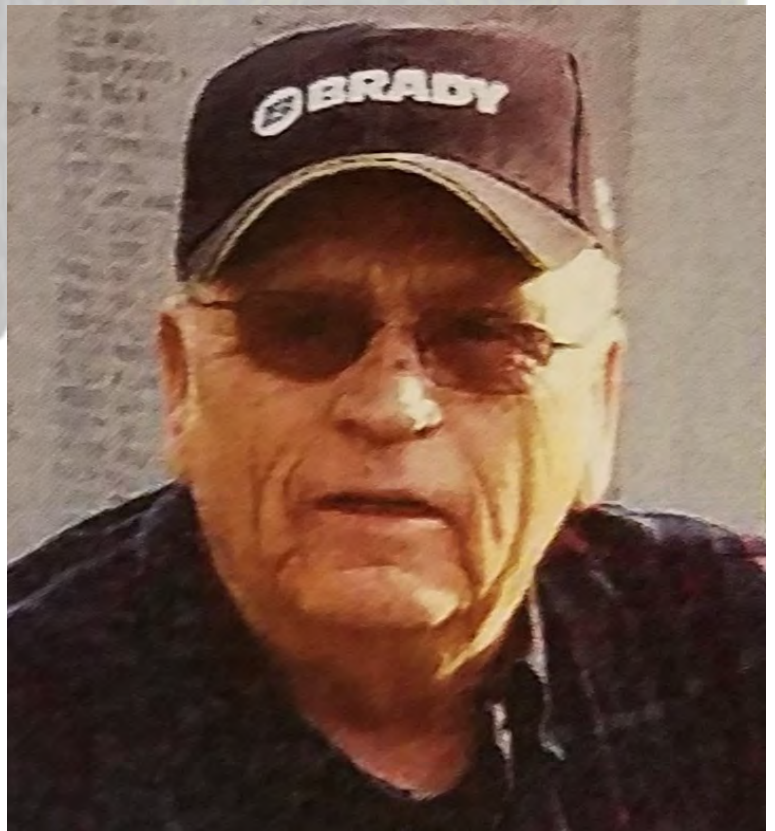
-2018 MEMORIALS-



Larry Thomas "Tater" Embler

Larry was employed September 1, 1969 to May 31, 1998.

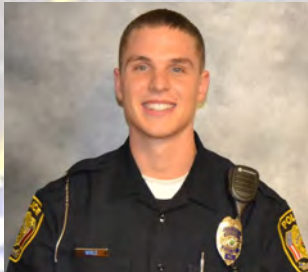
Larry retired as a Lieutenant with the Asheboro Police Department after 30 years of service and was the current owner of Tater's Towing. Larry was a member of AMVETS Post 905 and the American Legion Post 45. Larry was a friend to everyone he met and he was known to always be a helping hand to anyone that was in need in our community.



ASHEBORO POLICE DEPARTMENT

-2018 NEW HIRES-

PO I Luke Wible (03/01/2018)



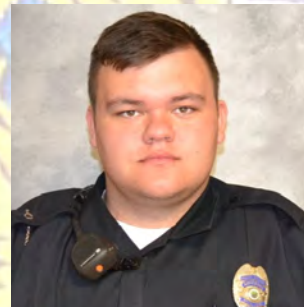
PO II Patty Lambert (03/16/2018)



Evidence Tech Cynthia Montgomery (05/01/2018)



PO I Marcus Pierce (10/01/2018)



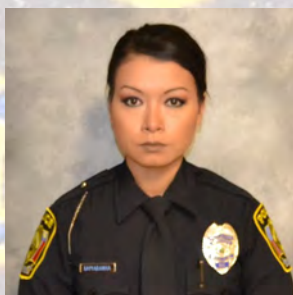
PO I Justin Moody (10/01/2018)



Animal Control David Pierce (11/16/2018)



PO I Vicki Xayyabanha (11/30/2018)



ASHEBORO POLICE DEPARTMENT

-2018 NEW HIRES-



ASHEBORO POLICE DEPARTMENT

-2018 AWARDS & RECOGNITION-

Top-Gun is given to a police officer that is the most proficient with his/her service weapons, including shotgun and hand gun. The overall best score that can be obtained is a 625.

Top 5 Runner Ups:

#5 MSGT. Matthew Vann 619.4



#4 LTC. Mark Lineberry 619.4



#3 MLt. Byron Hill 620.8



#2 MPO. Gary Rippey 621.4



TOP RUNNER-UP MPO. Troy Vincent 622.2



ASHEBORO POLICE DEPARTMENT

-2018 AWARDS & RECOGNITION-

2018 Overall Top Gun MPO. Corey Hatfield 623



INTERMEDIATE CERTIFICATE:

To be eligible a candidate must has accumulated at least thirty-two (32) education and/or training points and at least eight (8) years experience, or accumulated at least forty (40) education and/or training points and at least six (6) years experience, or accumulated at least forty-eight (48) education and/or training points and at least four (4) years experience, or has an Associate Degree issued by an academic institution recognized by the United States Department of Education and the Council for Higher Education Accreditation; has accumulated at least sixteen (16) training points and at least four (4) years experience, or has a Baccalaureate Degree issued by an academic institution recognized by the United States Department of Education and the Council for Higher Education Accreditation; has accumulated at least eight (8) training points and at least two (2) years experience.

2018 Recipients

MPO. Daniel Shropshire



PO II. Jerome Asbell



ASHEBORO POLICE DEPARTMENT

-2018 AWARDS & RECOGNITION-

ADVANCED LAW ENFORCEMENT CERTIFICATE:

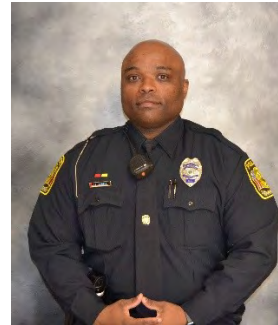
An officer can qualify for the Advanced Certificate if he or she: meets the requirements for the Intermediate Certificate, and has accumulated at least forty-eight (48) education and/or training points and at least twelve (12) years experience, or has accumulated at least sixty (60) education and/or training points and at least nine (9) years experience, or has an Associate Degree issued by an academic institution recognized by the United States Department of Education and the Council for Higher Education Accreditation; has accumulated at least thirty-six (36) training points and at least nine (9) years experience, or has a Baccalaureate Degree issued by an academic institution recognized by the United States Department of Education and the Council for Higher Education Accreditation; has accumulated at least twenty-four (24) training points and at least six (6) years experience, or has a Graduate or Professional Degree issued by an academic institution recognized by the United States Department of Education and the Council for Higher Education Accreditation; has accumulated at least sixteen (16) training points and at least four (4) years experience.

2018 Recipients

MSGT. James R. Briles



PO II. Jerome Asbell



MSGT. Matthew Vann



ASHEBORO POLICE DEPARTMENT

-2018 AWARDS & RECOGNITION-

MERITORIOUS CONDUCT shall be given to police officers who have performed duties that is extraordinary, outstanding, or considered praiseworthy in nature. An act of intelligent and valuable police service demonstrating special faithfulness or perseverance, or highly creditable acts of police service over a period of time. The award is not based on any single incident; rather the focus is on the overall contribution made by the officer during a period of duty responsibility. The Meritorious Conduct Award is considered exemplary performance beyond the standard that is normally exhibited.

2018 Recipients:

MPO. Noah Phillips



PO I. Steven Shore



PO I. Matthew Kiser



MPO. Daniel Shropshire



MPO. Reagan Kindley



MPO. Charles Vonnannon



MPO. Corey Hatfield



MPO. Eric Snodgrass



MPO. Guadalupe Gonzalez



ASHEBORO POLICE DEPARTMENT

-2018 AWARDS & RECOGNITION-

2018 POLICE OFFICER OF THE YEAR is awarded to an officer nominated by their team supervisor and chosen by the Asheboro Police Department Command Staff. This officer is nominated and chosen on their outstanding work performance, professional accomplishments, and their willingness to go over and beyond. Troy has been employed with the APD for 18 years.

2018 Police Officer of the Year MPO Troy Vincent



2018 CIVILIAN EMPLOYEE OF THE YEAR is awarded to a non-sworn employee and chosen by the Asheboro Police Department Command Staff. This employee is nominated and chosen on their outstanding work performance, professional accomplishments, and their willingness to go over and beyond. Ruby has been employed with the Asheboro Police Department for 10 years.

2018 Civilian Employee of the Year Evidence Supervisor Ruby Hunter



ASHEBORO POLICE DEPARTMENT

-2018 AWARDS & RECOGNITION-

LIFE-SAVING AWARD is awarded to officers who perform a lifesaving act under extraordinary circumstances. It shall be awarded to an officer who took direct, immediate, and positive action to preserve the life of another human being who was in danger of dying; the action taken did prevent the loss of a human life; the circumstances of the act were such that any delay in providing assistance would, in all probability, have resulted in the person's death.

2018 Recipients:

MPO. Kevin Ingold



MPO. Troy Vincent



MSGT. James R. Briles



ASHEBORO POLICE DEPARTMENT

-2018 AWARDS & RECOGNITION-



Det. Debbie McKenzie
Recognized by the Family
Crisis Center

Asheboro Police Department Det. Debbie McKenzie was recognized as the 2018 Leading Lady by the Randolph County Family Crisis Center. Debbie received this recognition for her unwavering efforts to provide Randolph County with a Children's Advocacy Center,

and her hard work and constant persistence paid off this year with the ribbon cutting of Emmy's House Children's Advocacy Center.



Master Lieutenant Byron Hill completed the Administrative Officer's Management Program (AOMP) offered through North Carolina State University.

PO II Traci Fisher was awarded with the 2018 Randolph Rotary Public Service Award



ASHEBORO POLICE DEPARTMENT

-2018 AWARDS & RECOGNITION-



ASHEBORO POLICE DEPARTMENT

-2018 AWARDS & RECOGNITION-



ASHEBORO POLICE DEPARTMENT

-2018 AWARDS & RECOGNITION-



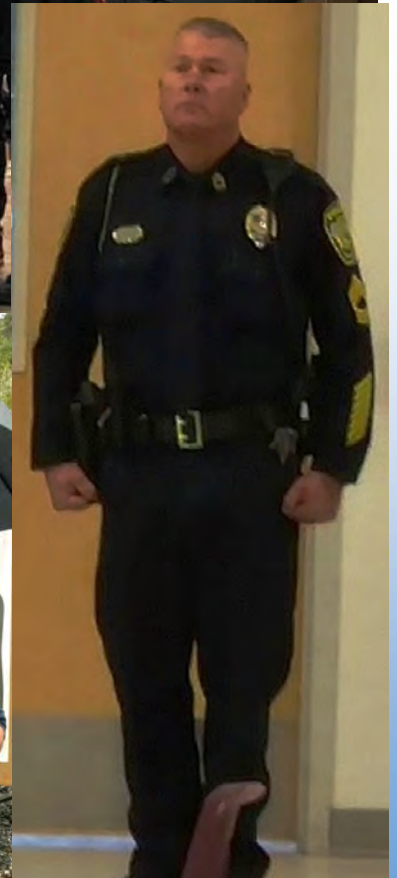
ASHEBORO POLICE DEPARTMENT

-2018 AWARDS & RECOGNITION-



ASHEBORO POLICE DEPARTMENT

-2018-



**REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, MUNICIPAL BUILDING
THURSDAY, MARCH 7, 2019
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)
Walker B. Moffitt) – Council Members Present
Jane H. Redding)
Katie L. Snuggs)
Charles A. Swiers)

John N. Ogburn, III, City Manager
Robert L. Brown, Jr., Police Major
Timothy E. Cockman, Deputy Fire Chief
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
Danny A. Floyd, Jr. Assistant Fire Chief (Safety)
P. Douglas Kemp, Human Resources Director
William Preston King, Assistant Fire Chief (Training)
Michael L. Leonard, PE, City Engineer
Mark T. Lineberry, Assistant Chief of Police
Trevor L. Nuttall, Community Development Director
Deborah P. Reaves, Finance Director
Jeffrey C. Sugg, City Attorney
Willie Summers, Fire Chief
D. Richard Thompson, Jr., Police Captain
Jody P. Williams, 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. Moment of silent prayer and pledge of allegiance.

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

3. Recognition of Firefighter II John H. Smith, III for his dedicated service to the City of Asheboro. [Originally listed as Agenda Item 4]

Mayor Smith presented a resolution honoring retired Firefighter II John H. Smith, III. Upon motion by Mr. Burks and seconded by Ms. Carter, the Council voted unanimously to adopt the following resolution by reference.

RESOLUTION NUMBER 08 RES 3-19

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**A RESOLUTION HONORING FIREFIGHTER II JOHN HENRY SMITH, III UPON HIS RETIREMENT
FROM THE ASHEBORO FIRE DEPARTMENT**

WHEREAS, John Henry Smith, III has provided honorable, skilled, and dedicated service to the City of Asheboro and its citizens since the date of his initial employment with the Asheboro Fire Department on October 1, 1988; and

WHEREAS, Firefighter II John Henry Smith, III began his retirement from the City of Asheboro on March 1, 2019; and

WHEREAS, pursuant to and in accordance with Section 160A-294.1 of the North Carolina General Statutes, the Asheboro City Council wishes to recognize and honor this dedicated public servant by

awarding to the retiring firefighter, at a minimal monetary cost, the fire helmet most recently assigned to him by the city; and

WHEREAS, due to the extended use of his badge, name tag, “serving since” attachment to the name tag, and collar insignia pins that cannot be placed in the market place without posing a risk of allowing unauthorized individuals to hold themselves out as fire department officials and thereby pose a threat to public safety, the Asheboro City Council has concluded, consistent with Section 160A-266(d) of the North Carolina General Statutes, that the city’s use of the listed items ended upon Mr. Smith’s retirement from the Asheboro Fire Department.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, on behalf of the citizens of Asheboro, the governing board extends its sincere thanks and appreciation to John Henry Smith, III for his public service; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that, in consideration and recognition of his dedicated service, John Henry Smith, III is to be awarded, at less than fair market value, ownership of his city-issued fire helmet, inclusive of his helmet shield; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that, in furtherance of this recognition of a valued public servant, the city staff is hereby directed to convey to Mr. Smith, on or after March 1, 2019, his Asheboro Fire Department helmet and shield for a purchase price of one dollar (\$1.00); and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the city staff is hereby directed to convey to John Henry Smith, III, on or after March 1, 2019, and without charge, his badge, name tag, “serving since” attachment to the name tag, and collar insignia pins.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 7th day of March, 2019.

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

ATTEST:

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

After the Council’s adoption of the above-stated resolution and on behalf of the Asheboro Fire Department, Chief Summers recognized Firefighter II John H. Smith, III for his dedicated service to the City of Asheboro and presented him with his fire helmet that he wore at the time of his retirement. Additionally, on behalf of Mayor Smith and the City Council, Mr. Ogburn presented Firefighter Smith with a retirement plaque from the municipal corporation.

4. Recognition of Debra C. McKenzie for her dedicated service to the City of Asheboro. [Originally listed as Agenda Item 5]

On behalf of the Asheboro Police Department, Chief Williams presented Master Police Officer Debra C. McKenzie with a plaque that included her badge as a token of gratitude for her loyal service to the City of Asheboro. Along with her badge, Chief Williams presented Master Police Officer McKenzie with her service side arm that she carried at the time of her retirement.

Additionally, on behalf of Mayor Smith and the City Council, Mr. Ogburn presented Master Police Officer McKenzie with a retirement plaque from the municipal corporation.

5. Recognition of James R. Briles, Jr. for his dedicated service to the City of Asheboro. [Originally listed as Agenda Item 6]

On behalf of the Asheboro Police Department, Chief Williams presented Master Police Sergeant James R. Briles, Jr. with a plaque that included his badge as a token of gratitude for his loyal service to the City of Asheboro. Along with his badge, Chief Williams presented Master Police Sergeant Briles with his service side arm that he carried at the time of his retirement.

Additionally, on behalf of Mayor Smith and the City Council, Mr. Ogburn presented Master Police Sergeant Briles with a retirement plaque from the municipal corporation.

6. The annual report of the Randolph County Economic Development Corporation. [Originally listed as Agenda Item 7]

Mr. Kevin Franklin, who is the Interim President of the Randolph County Economic Development Corporation ("RCEDC"), led the presentation of the annual report from the RCEDC. Mr. Franklin was joined by Board of Director Chair Clyde Phillips.

Mr. Franklin discussed the highlights from the annual report for 2018. No formal action was taken by the Council in response to this presentation. A copy of the written annual report is on file in the city clerk's office.

7. Consent agenda. [Originally listed as Agenda Item 8]

Upon motion by Mr. Bell and seconded by Ms. Snuggs, the Council voted unanimously to approve/adopt the following consent agenda items.

(a) The meeting minutes for the city council's regular meeting on February 7, 2019.

The approved minutes are on file in the city clerk's office, and an electronic copy of the approved minutes is posted on the city's website.

(b) Acknowledgement of the receipt from the Asheboro ABC Board of its meeting minutes for January 7, 2019.

The minutes of the meeting held by the Asheboro ABC Board on January 7, 2019 have been received by the city clerk, distributed to the mayor and members of the city council for review, and are on file and available in the city clerk's office.

(c) Acknowledgement of the receipt and acceptance, without amendment, of the operational hours proposed by the Recreation Services Director for the city-owned pools during the 2019 season.

The documentation transmitted by the recreation services superintendent with the operational hours for the pools during 2019 is on file in the city clerk's office and may also be obtained by directly contacting the city's cultural and recreation services department. The council acknowledged receiving the schedule for the city-owned pools. No action was taken by the Council to alter the schedule submitted by the recreation services director.

(d) An ordinance amending the Asheboro Cultural and Recreation Services Schedule of Deposits, Fees, and Charges.

ORDINANCE NUMBER 05 ORD 3-19

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

AN ORDINANCE AMENDING THE ASHEBORO CULTURAL AND RECREATION SERVICES SCHEDULE OF DEPOSITS, FEES, AND CHARGES

WHEREAS, the Asheboro Cultural and Recreation Services Schedule of Deposits, Fees, and Charges (the "Fee Schedule") prescribes certain fees that are applicable to the city-owned pools; and

WHEREAS, based upon review and analysis by recreation services staff members, including consideration of the experiences of other aquatics programs, the recreation services director and the city manager have recommended updating certain provisions in the Fee Schedule that pertain to the city-owned pools; and

WHEREAS, the proposed amendments to the Fee Schedule are attached to this Ordinance as EXHIBIT 1 and are hereby incorporated into this Ordinance by reference as if copied fully herein; and

WHEREAS, the Asheboro City Council concurs with the recommendations made by the recreation services director and the city manager.

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

Section 1. The Fee Schedule is hereby rewritten to provide as specified in EXHIBIT 1. The provisions of the Fee Schedule that are not expressly modified by the contents of EXHIBIT 1 shall continue in full force and effect without alteration.

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

Section 3. This Ordinance shall be in full force and effect upon and after April 1, 2019.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 7th day of March, 2019.

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

ATTEST:

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

EXHIBIT 1

ASHEBORO CULTURAL & RECREATION SERVICES
Schedule of Deposits, Fees, and Charges

Adopted: March 7, 2019

Effective: April 1, 2019

*Denotes Proposed
Changes*

BASEBALL/SOFTBALL FIELD RENTAL	Rec Card Fees	Non-Resident Fees
Rental per hour (no lights)	\$ 15.00	\$ 20.00
Rental per hour (with lights)	\$ 25.00	\$ 35.00
Tournament rentals		
One field facility (per weekend)	\$ 175.00	\$ 225.00
Two field facility (per weekend)	\$ 300.00	\$ 400.00
Concession Stand & Restrooms	\$ 50.00	\$ 65.00
Additional Field Preparation	\$ 45.00	\$ 60.00

DISC GOLF COURSE	Rec Card Fees	Non-Resident Fees
Tournament Rental per Day (8 hours)	\$ 100.00	\$ 175.00

DOWNTOWN FARMERS' MARKET	Applies to All	
Daily Fee - 1 space	\$	5.00
Daily Fee - 2 spaces <i>(if granted by Market Manager)</i>	\$	15.00

GOLF COURSE	Rec Card Fees	Non-Resident Fees
Walking Only		
Any Day	\$ 8.00	\$ 10.00
Riding (9 holes) <i>Includes Greens Fees</i>		
Any Day	\$ 15.00	\$ 18.00
Riding (18 holes) <i>Includes Greens Fees</i>		
Any Day	\$ 21.00	\$ 25.00
Twilight (18 holes) <i>After 3pm Daily. Includes cart & green fees.</i>		
Weekday	\$ 16.00	\$ 20.00

Membership Rates

Individual
Junior Summer (June - August)
Senior
Senior Couple
Family (Up to 4 at the same residence)

\$	365.00	\$	465.00
\$	75.00	\$	125.00
\$	290.00	\$	390.00
\$	475.00	\$	575.00
\$	600.00		

Member Cart Fee

Nine Holes
Eighteen Holes

\$	6.00	\$	7.00
\$	11.00	\$	13.00

LAKE LUCAS

Daily fishing permit
Annual fishing permit
Daily Canoe/Kayak rental
Daily Canoe/Kayak launch fee
Annual Canoe/Kayak launch fee
Daily Jon boat rental
Daily launch fee
Annual launch fee
Kayak rental spaces
Boat rental spaces

Rec Card Fees		Non-Resident Fees	
\$	3.00	\$	4.00
\$	35.00	\$	50.00
\$	6.00	\$	10.00
\$	2.50	\$	3.50
\$	35.00	\$	50.00
\$	8.00	\$	12.00
\$	7.00	\$	9.50
\$	100.00	\$	135.00
\$	60.00	\$	85.00
\$	150.00	\$	200.00

LAKE REESE

Daily launch fee
Daily Canoe/Kayak launch fee
Annual Canoe/Kayak launch fee
Annual launch fee
Daily duck hunting (per boat)

Rec Card Fees		Non-Resident Fees	
\$	7.00	\$	9.50
\$	2.50	\$	3.50
\$	35.00	\$	50.00
\$	100.00	\$	135.00
\$	12.50	\$	16.00

ROOM RENTAL

1 Hour
1/2 Day
Full Day

Rec Card Fees		Non-Resident Fees	
\$	20.00	\$	25.00
\$	60.00	\$	75.00
\$	100.00	\$	125.00

ROTARY PAVILION AT BICENTENNIAL PARK

Security Deposit (refundable)
Daily Rate

Non-Profit / Government Rate

Rec Card Fees		Non-Resident Fees	
\$	75.00	\$	75.00
\$	325.00	\$	400.00
Applies to All			
		\$	225.00

RUNNING / WALKING EVENTS

Bicentennial Park Certified 5K Course
Memorial Park Certified 5K Course

Non-Profit Group Fees		Event Fees	
\$	225.00	\$	300.00
\$	300.00	\$	400.00

Memorial Park Certified 10K Course	\$	375.00	\$	500.00
Non-Conforming Courses (Any course that is not listed above)	\$	525.00	\$	700.00

* All Non-Conforming Courses must receive City staff approval.

Note: Running/Walking Event Fees are in addition to the Facility Rental Fees of each park.

SHELTER RENTAL	Rec Card Fees	Non-Resident Fees
Eastside, Frazier, Kiwanis, Lake Lucas, Memorial Lower, North Asheboro Park		
1/2 Day: 10am - 3pm or 3:30pm - Dark	\$ 10.00	\$ 20.00
Full Day	\$ 20.00	\$ 40.00
Memorial Park Upper		
1/2 Day: 10am - 3pm or 3:30pm - Dark	\$ 18.00	\$ 35.00
Full Day	\$ 35.00	\$ 70.00

SKATE PARK	Rec Card Fees	Non-Resident Fees
Daily Admission	\$ 1.00	\$ 2.00
15 Admission Pass	\$ 10.00	\$ 25.00
1 Year Unlimited Pass	\$ 150.00	\$ 300.00

SUNSET THEATER	Applies to All			
Security Deposit		\$		100.00
Dark / Rehearsal (Multi day use, 4 hour max)		\$		60.00
General Meeting / Party Rental (4 hour max)		\$		100.00
Non-Profit / Government / School Group (Single day use, 8 hour max)		\$		175.00
Private Event (8 hour max)		\$		300.00
Commercial / For Profit (8 hour max)		\$		450.00

SWIMMING POOLS	Rec Card Fees	Non-Resident Fees
	Applies to All	
Public Swim (day)		
2 years old & under (with paying adult)	No Fee	No Fee
3 years old and above	\$ 2.50	\$ 3.25
2 years old & under (with paying adult)		Free
3 years old and above		\$ 3.00
Public Swim (night)		
2 years old & under (with paying adult)	No Fee	No Fee
3 years old and above	\$ 2.00	\$ 2.75
2 years old & under (with paying adult)		Free
3 years old and above		\$ 2.00
Public Lap Swim	\$ 1.00	\$ 1.75
Public Lap Swim		\$ 2.00
Lifeguard Training Class		\$ 225.00
	Rec Card Fees	Non-Resident Fees
Public Senior Swim	\$ 1.00	\$ 1.75

Public Senior Swim	Free	\$ 1.00
Swimming Lessons (group)	\$ 25.00	\$ 30.00
Swimming Lessons (private)	\$ 50.00	\$ 60.00
Swim Pass (15 admissions)	\$ 30.00	\$ 40.00
Groups (15+)	\$ 2.00	\$ 2.75
*Pool Rental (0 - 50 people for 2 hours)	\$ 150.00	\$ 225.00
<i>Includes 1 Manager & 2 Lifeguards</i>		
*Pool Rental (0 - 50 people for 3 hours)	\$ 225.00	\$ 300.00
<i>Includes 1 Manager & 2 Lifeguards</i>		
*Each Additional Lifeguard	\$ 30.00	\$ 30.00
<i>* If party attendance exceeds 50 people, 1 additional lifeguard is REQUIRED for every 25 additional people</i>		

TENNIS CENTER	Rec Card Fees	Non-Resident Fees
Lights per hour per court	\$ 3.00	\$ 4.00

YOUTH SPORTS FEES	Rec Card Fees	Non-Resident Fees
Registration Fee	\$ 30.00	\$ 50.00
Late Registration Fee	\$ 10.00	\$ 10.00
<i>Late Registration applies to all registration forms received after the advertised registration deadline.</i>		

Participants who reside within the City Limits of Asheboro must obtain a Rec Card in order to receive the Rec Card Rate.

- (e) Acknowledgement of the receipt and acceptance, without amendment, of the proposal from Hiram Marziano, PE for the erosion control design for the proposed Zoo City SportsPlex Project.
- The documentation transmitted by the city engineer with the proposal from Hiram Marziano, PE for the erosion control design for the proposed Zoo City SportsPlex Project is on file in the city clerk’s office. With the adoption of the consent agenda, the council accepted the proposal from Hiram Marziano, PE that included a not to exceed fee of \$25,500.
- (f) Approval to schedule for April 4, 2019, and to advertise, public hearings pertaining to the following land use cases:
- (i) Legislative Hearing: Text amendments to the zoning ordinance concerning the maximum allowable floor area ratio and supplementary requirements for multi-family residential developments.

(ii) Quasi-Judicial Hearing: Combined hearing concerning property located at 481 North Carolina Highway 49 South (Randolph County Parcel Identification Numbers 7740931871 and 7740941140). The application requests the rezoning of a portion of the property from B2 (General Commercial) to CU-RA6 (Medium-Density Residential) and for the issuance of a Conditional Use Permit authorizing a multiple-family development.

(iii) Legislative Hearing: An application requesting the rezoning of property at 1644, 1702, and 1712 North Fayetteville Street (portions of Randolph County Parcel Identification Numbers 7762064208, 7762065123, and 7762067634) from R10 (Medium-Density Residential) to O&I (Office & Institutional).

The above-listed land use cases will be advertised and heard by the Council on April 4, 2019.

- (g) **Acknowledgement of the receipt of the statutorily prescribed notice of the future construction of parking improvements at the municipal golf course on Country Club Drive.**

A map transmitted by the city's public works division and the engineering department showing the future construction of parking improvements at the municipal golf course on Country Club Drive has been received by the council and is on file in the city clerk's office.

- (h) **A resolution authorizing the execution of new lease agreements with Norfolk Southern Railway Company for the continued use of approximately 2.27 acres of land in downtown Asheboro and for the continued use of approximately 9,000 square feet of land at the municipal golf course.**

RESOLUTION NUMBER 09 RES 3-19

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**APPROVAL OF TWO LEASE AGREEMENTS WITH NORFOLK SOUTHERN RAILWAY COMPANY
PERTAINING TO REAL PROPERTY IN DOWNTOWN ASHEBORO AND AT
THE MUNICIPAL GOLF COURSE**

WHEREAS, the city currently leases from Norfolk Southern Railway Company (the "Railroad") approximately 2.27 acres of land at Milepost M 28.00 (this land is used for Bicentennial Park and a downtown parking lot; this real property will be hereafter referred to as the "Park Property") and approximately 9,000 square feet of land at Milepost M 29.25 (this land is used for the municipal golf course; this real property will be hereafter referred to as the "Golf Course Property"); and

WHEREAS, the Railroad's property management system has flagged the Park Property and the Golf Course Property for a periodic review; and

WHEREAS, this review has resulted in the Railroad updating the lease terms, including the rental rate, that must be satisfied if the city is to continue its lease of the above-described properties; and

WHEREAS, the new lease agreement for the Park Property is attached to this Resolution as ATTACHMENT A, which is hereby incorporated into this Resolution by reference as if copied fully herein, and the new lease agreement for the Golf Course Property is attached to this Resolution as ATTACHMENT B, which is also incorporated into this Resolution by reference as if copied fully herein; and

WHEREAS, the Park Property and the Golf Course Property continue to serve significant public purposes by contributing to an enhanced quality of life for Asheboro's citizens.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the new lease agreements with the Railroad for the Park Property and the Golf Course Property are hereby approved; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that Mayor David H. Smith, City Manager John N. Ogburn, III, Finance Director Deborah P. Reaves, and City Clerk Holly H. Doerr are hereby authorized to execute on behalf of the city the documents necessary to implement the approved lease agreements so long as the executed legal instruments are consistent with the material terms found in ATTACHMENT A and ATTACHMENT B.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 7th day of March, 2019.

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

ATTEST:

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

[Attachment A and Attachment B referenced in the above resolution are on file in the city clerk's office.]

- (i) **A resolution authorizing an amendment to the existing online auction service agreement with GovDeals, Inc.**

RESOLUTION NUMBER 10 RES 3-19

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION TO AMEND AN EXISTING ONLINE AUCTION SERVICE AGREEMENT IN ORDER TO SHIFT SERVICE FEES FROM THE CITY TO BUYERS OF SURPLUS PROPERTY

WHEREAS, Section 30.07 of the Code of Asheboro delegates to the city manager the authority to dispose of an item or group of items of surplus city-owned personal property with a fair market value of less than \$30,000; and

WHEREAS, GovDeals, Inc. ("GovDeals") is an online auction service provider that has extensive experience with the disposal of surplus government property; and

WHEREAS, the city manager utilizes GovDeals on a non-exclusive basis throughout the year in order to efficiently access the marketplace and determine the fair market value of the city's surplus personal property; and

WHEREAS, the original Online Auction Memo of Understanding between the city and GovDeals reflects the city's election to use the company's financial settlement services and to collect proceeds using a flexible pricing option whereby the city pays, on the basis of the winning bid, a 7.5% fee and the winning bidder pays a 5% buyer's premium; and

WHEREAS, on the basis of the city's experience with GovDeals since January 2014, and on the basis of anecdotal evidence from other local government clients of GovDeals, city staff members have recommended amending the pricing option used by the city and to select the option whereby the city, as the client of GovDeals, pays a 0% fee and the winning bidder pays a 12.5% buyer's premium; and

WHEREAS, this amended selection of a pricing option can be implemented by selecting Option B4 on the GovDeals Flexible Pricing Options (FPO) form attached to this Resolution as EXHIBIT 1 and hereby incorporated into this Resolution by reference as if copied fully herein; and

WHEREAS, the Asheboro City Council concurs with the city staff's recommendation to amend the FPO selection.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the city is to amend its existing agreement with GovDeals to reflect the selection of the pricing option whereby the city, as the client of GovDeals, pays a 0% fee and the winning bidder pays a 12.5% buyer's premium; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the city manager is hereby authorized and directed to execute, without any unnecessary delay, the GovDeals Flexible Pricing Options (FPO) form attached to this Resolution as EXHIBIT 1 in a manner that unequivocally indicates the city's selection of Option B4.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 7th day of March, 2019.

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

ATTEST:

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

[Exhibit 1 referenced in the above resolution is on file in the city clerk's office.]

- (j) **A resolution authorizing the city to engage in electronic payments as defined by G.S. 159-28.**

RESOLUTION NUMBER 11 RES 3-19

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**RESOLUTION AUTHORIZING THE CITY OF ASHEBORO TO ENGAGE IN
ELECTRONIC PAYMENTS AS DEFINED BY G.S. 159-28**

WHEREAS, it is the desire of the Asheboro City Council for the City of Asheboro to be authorized to engage in electronic payments as defined by Section 159-28 of the North Carolina General Statutes; and

WHEREAS, the Asheboro City Council may delegate, and has in fact decided to delegate, to the city's finance officer the responsibility to adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by the North Carolina Administrative Code at 20 NCAC 03 .0409; and

WHEREAS, the Asheboro City Council may delegate, and has in fact decided to delegate, to the city's finance officer the responsibility to adopt a written policy outlining procedures for disbursing public funds by electronic transaction as required by the North Carolina Administrative Code at 20 NCAC 03 .0410.

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

Section 1. The City of Asheboro is authorized to engage in electronic payments as defined by G.S. 159-28.

Section 2. The City of Asheboro Finance Officer is authorized and directed to adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by the North Carolina Administrative Code at 20 NCAC 03 .0409.

Section 3. The City of Asheboro Finance Officer is authorized and directed to adopt a written policy outlining procedures for disbursing public funds by electronic transaction as required by the North Carolina Administrative Code at 20 NCAC 03 .0410.

Section 4. This Resolution shall take effect immediately upon its adoption on March 7, 2019.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 7th day of March, 2019.

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

ATTEST:

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

- (k) **An ordinance amending the Code of Asheboro, specifically Section 36.15 (Official City Depositories Designated) and Section 36.18 (Signature on Checks Drawn on City Funds).**

ORDINANCE NUMBER 06 ORD 3-19

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

AN ORDINANCE UPDATING SECTION 36.15 AND SECTION 36.18 OF THE CODE OF ASHEBORO

WHEREAS, Chapter 36 of the Code of Asheboro contains fiscal provisions designating official city depositories and authorized signatures on checks drawn on city funds; and

WHEREAS, the city manager and the finance officer have recommended updating these fiscal provisions to more clearly reflect current statutory enactments and city practices; and

WHEREAS, the city council concurs with these recommendations.

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

Section 1. Section 36.15 of the Code of Asheboro is hereby rewritten to provide as follows:

§ 36.15 OFFICIAL CITY DEPOSITORIES DESIGNATED

~~Pursuant to G.S. § 159-31(a), the following institutions are designated depositories for public funds of the city:~~

- ~~(A) The First National Bank and Trust Company, Asheboro, North Carolina.~~
- ~~(B) Wachovia Bank of North Carolina, Asheboro, North Carolina.~~
- ~~(C) First Bank, Asheboro, North Carolina.~~
- ~~(D) Central Carolina Bank and Trust Company, Asheboro, North Carolina.~~
- ~~(E) Randolph Bank and Trust Company, Asheboro, North Carolina.~~
- ~~(F) Centura Bank, Asheboro, North Carolina.~~
- ~~(G) First Southern Savings Bank, Asheboro, North Carolina.~~
- ~~(H) Triad Bank, North Carolina.~~
- ~~(I) Chase Manhattan Bank of New York, as fiscal agent.~~

Pursuant to G.S. 159-31(a), the following institutions are designated depositories for public funds of the city:

- (A) Bank OZK, Asheboro, North Carolina;
- (B) BB&T/SunTrust, Asheboro, North Carolina;
- (C) Capital Bank/First Tennessee Bank, Asheboro, North Carolina;
- (D) First Bank, Asheboro, North Carolina;
- (E) NC Capital Management Trust, Raleigh, North Carolina;
- (F) Pinnacle Bank, Asheboro, North Carolina; and
- (G) Wells Fargo, Asheboro, North Carolina.

Section 2. Section 36.18 of the Code of Asheboro is hereby rewritten to provide as follows:

§ 36.18 SIGNATURE ON CHECKS DRAWN ON CITY FUNDS

~~All checks drawn on city funds shall be signed by the Mayor and the Finance Officer; provided, that in the absence or disability of the Mayor, the Mayor Pro Tempore shall sign such checks, and in the absence or disability of the Finance Officer the City Manager shall sign such checks. Facsimile signature plates may be used within the boundaries stipulated by G.S. § 159-28.1.~~

- (A) All checks drawn on city funds shall be signed by the Mayor and the Finance Officer; provided, that in the absence or disability of the Mayor, the Mayor Pro Tempore shall sign such checks, and, in the absence or disability of the Finance Officer, the City Manager shall sign such checks.
- (B) Pursuant to G.S. 159-28.1, facsimile signature machines, signature stamps, or similar devices may be used in signing checks and drafts and in signing the preaudit certificate on contracts or purchase orders. The Finance Officer shall have custody of the necessary machines, stamps, plates, or other devices, and the Finance Officer and the sureties on the Finance Officer's official bond are liable for any illegal, improper, or unauthorized use of such devices.

Section 3. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. This Ordinance shall be in full force and effect upon and after March 7, 2019.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 7th day of March, 2019.

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

ATTEST:

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

- (I) Acknowledgement of the receipt from the city clerk of the oath of office forms completed by Asheboro Airport Authority Members.**

Copies of the following oath of office forms were distributed to the mayor and members of the city council. The originals are on file in the city clerk's office.

OATH OF ASHEBORO AIRPORT AUTHORITY MEMBER

STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH
CITY OF ASHEBORO

I, Bobby J. Crumley, do solemnly and sincerely affirm that I will support and maintain the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain, and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge, skill, and ability; and that I will faithfully, well, and truly discharge and execute the duties of the office of Asheboro Airport Authority Member according to the best of my skill and ability and according to the law.

/s/Bobby J. Crumley
Bobby J. Crumley

Affirmed and subscribed before me this the 4th day of March, 2019.

/s/Bradley W. Morton
Bradley W. Morton
Deputy City Clerk
City of Asheboro, North Carolina

OATH OF ASHEBORO AIRPORT AUTHORITY MEMBER

STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH
CITY OF ASHEBORO

I, Mark E. Vuncannon, do solemnly and sincerely affirm that I will support and maintain the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain, and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge, skill, and ability; and that I will faithfully, well, and truly discharge and execute the duties of the office of Asheboro Airport Authority Member according to the best of my skill and ability and according to the law.

/s/Mark E. Vuncannon
Mark E. Vuncannon

Affirmed and subscribed before me this the 4th day of February, 2019.

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

OATH OF ASHEBORO AIRPORT AUTHORITY MEMBER

STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH
CITY OF ASHEBORO

I, Bradley N. Lanier, do solemnly and sincerely affirm that I will support and maintain the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain, and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge, skill, and ability; and that I will faithfully, well, and truly discharge and execute the duties of the office of Asheboro Airport Authority Member according to the best of my skill and ability and according to the law.

/s/Bradley N. Lanier
Bradley N. Lanier

Affirmed and subscribed before me this the 20th day of February, 2019.

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

OATH OF ASHEBORO AIRPORT AUTHORITY MEMBER

STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH
CITY OF ASHEBORO

I, Stephen R. Knight, do solemnly and sincerely affirm that I will support and maintain the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain, and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge, skill, and ability; and that I will faithfully, well, and truly discharge and execute the duties of the office of Asheboro Airport Authority Member according to the best of my skill and ability and according to the law.

/s/Stephen R. Knight
Stephen R. Knight

Affirmed and subscribed before me this the 26th day of February, 2019.

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

8. Community Development Items: [Originally listed as Agenda Item 9]

- (a) **Quasi-Judicial Hearing (SUP-19-01): A special use permit application triggered by proposed modification to an existing multi-family development operating under a special use permit allowing a gross floor area of up to 22 percent on the development's parcel of land at 2280 and 2282 North Fayetteville Street (Randolph County Parcel Identification Number 7763140443).**

Mayor Smith opened the quasi-judicial hearing on the request to issue a Special Use Permit for modifications to an existing multi-family development operating under a special use permit allowing a gross floor area of up to 22 percent on the development's parcel.

Mr. Nuttall was placed under oath and presented the planning staff's analysis of the Applicant's request that included a properly submitted site plan and building elevations for the Special Use Permit. The request pertains to approximately 8.28 acres of land owned by Asheboro Residential, Inc. (the Applicant) that is located at 2280 and 2282 North Fayetteville Street. Randolph County Parcel Identification Number 7763140433 more specifically identifies the property.

During his presentation, Mr. Nuttall utilized a visual presentation and noted the staff's analysis of the Special Use Permit application as follows:

1. The property is inside the city limits.
2. North Fayetteville Street is a state-maintained major thoroughfare.
3. Proposed modifications to the Special Use Permit that was previously approved for a development consisting of dwellings for multiple families (apartments) require a new Special Use Permit. These modifications include the addition of structures for storage of personal belongings and/or vehicles of residents. Although the additional structures do not count towards the maximum 22 percent floor area due to not being used for habitation, the zoning ordinance only allows staff to approve addition(s) totaling 10% or 1,000 square feet of additional floor area for a project requiring a Special Use Permit.

4. There are currently 72 dwelling units in the development. No additional dwelling units are proposed.
5. A portion of the property, adjacent to Hasketts Creek, is within a 100-year flood area. However, no new structures or new parking areas are proposed within the flood area.

On behalf of the Applicant, Mr. Rodney Mason, Esq. was placed under oath and offered testimony in support of the request. This testimony was focused on addressing the four standards for issuance of a Special Use Permit. As part of his testimony, Mr. Mason submitted a certified copy of the previous Special Use Permit (SUP-04-06) that was issued on March 10, 2005. In addition to the Applicant's representative (Mr. Alexander Zarris), Mr. Bobby Kivett of Summey Engineering Associates, PLLC was available to answer questions.

No staff suggested conditions were offered for attachment to the permit requested by the Applicant.

No witnesses came forward in opposition to the Applicant's request for the issuance of a Special Use Permit. There being no additional 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. Swiers, the Council voted unanimously to approve the requested Special Use Permit. A final decision document with the formal findings of fact, conclusions of law, and order authorizing the Special Use Permit will be entered by the Council during regular session on April 4, 2019.

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

(b) Legislative Hearing (RZ-19-01): An application to rezone from R7.5 (Medium-Density Residential) and RA6 (High-Density Residential) to OA6 (Office-Apartment) various parcels of land along and near the Greensboro Street and Cox Street corridor, between East Presnell Street and East Dorsett Avenue.

Mayor Smith opened the public hearing, which was legislative in nature, on the request by the City of Asheboro (the "Applicant") to rezone various properties located along the east and west sides of Greensboro Street and South Cox Streets, extending from East Presnell Street to north of Oakdale Street. The city's application seeks to rezone these properties from the RA6 High Density Residential District and the R7.5 Medium Density Residential District to the OA6 Office and Apartment District.

The parcels involved in this large-scale rezoning are identified by the following Randolph County Parcel Identification Numbers:

7751955268	7751951036	7751955071
7751829013	7751955620	7751943912
7751945940	7751818990	7751955515
7751941783	7751945824	7751806936
7751954467	7751942788	7751947861
7751805899	7751954350	7751957445
7751945704	7751805884	7751954246
7751957367	7751945609	7751805747
7751954232	7751957430	7751945614
7750890628	7751954128	7751956394
7751920210	7750890621	7750890583
7750890326	7750890294	7750892520
7750893128	7750881680	7750884640
7750884368	7750884384	7750882237
7750882280	7750884170	7750883020
7750875983	7750876849	7750877861
7750877489	7750970517	

Mr. Nuttall certified that proper notice of the requested rezoning had been given and utilized a visual presentation to summarize the planning staff's analysis of the rezoning application. The staff report noted the following:

1. South Cox Street is a state-maintained minor thoroughfare (south of East Salisbury Street). Greensboro Street is a city-maintained minor thoroughfare north of East Salisbury Street. All of the subject properties are in the city limits.
2. The requested OA6 (Office-Apartment) district is described as "intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated OA6 shall normally be located with access to a minor

thoroughfare or higher classification street with access to local residential streets discouraged.”

3. The OA6 district allows residential uses (single-, two-, and multi-family), institutional uses (such as places of worship), and some lighter commercial uses (medical/professional offices, service uses such as hair salons.). Heavier commercial uses, such as eating establishments, motor vehicle repair/sales/rental, and retail are not permitted.
4. Recent text amendments (adopted 11-8-18) allow single- and two-family dwellings in the OA6 district to have the same maximum floor area ratio (22 percent) as other residential zoning districts. Previously, maximum floor areas (17 percent) for single- and two-family residential properties were more restrictive in the OA6 district than other residential districts.
5. The amendments are proposed due to numerous uncontested rezoning requests and the mixed use character (consisting of residential, commercial, and institutional uses) that the corridor has experienced in recent decades.
6. The city held a public workshop on February 27, 2018 to discuss the concept with property owners and the general public. Comments received were generally supportive of the request. Owners or property included in the proposed rezoning have been given the opportunity to request to be excluded from the proposed rezoning.
7. The Land Development Plan designates the majority of the subject properties as part of the City Activity Center. A small area on Greensboro Street is designated for office and institutional uses. A small area on the east side of South Cox Street, south of South Main Street, is designated for neighborhood residential use.

The Planning Board recommended approval of the request. This recommendation was based on the Planning Board's concurrence with the following analysis from the Community Development Division staff that evaluated the consistency of the requested rezoning with the adopted comprehensive plans as well as the reasonableness of the request and whether the requested rezoning is in the public interest:

The OA6 district is a suitable zoning designation on the subject properties for several reasons.

The Greensboro and South Cox Street corridors have gradually seen a transition from primarily residential uses to a mix of residential, office, and institutional uses. The multiple rezoning requests that have occurred along the corridor have consistently been supported by the Land Development Plan and in most cases have been uncontested.

The Central Small Area plan and description of the Center City Area, which comprises the majority of the properties, emphasizes both a compatible mix of uses and preservation of residential neighborhoods. The OA6 district also supports the intent of the Neighborhood Residential and Office and Institutional designations of the proposed land use map.

By allowing continued investment into residential uses but also providing for limited non-residential uses on a corridor that serves as a transition between higher intensity commercial uses and lower intensity residential uses, the proposed zoning designation is supported by both the intent of the text and map of the land development plan.

Considering these factors, staff believes that the requested OA6 district for both parcels is reasonable and in the public interest.

Mr. Darrell Phillips and Mr. Rashidi Ayubu Zatika-Everette had general questions in regards to the rezoning.

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

The city council concurred with the staff and planning board analysis of the consistency of the request with the land development plan. Council Member Bell moved, and Council Member Burks seconded the motion, to adopt a plan consistency statement and to approve the requested rezoning with the following multi-part motion:

1. City Council Analysis of the Requested Map Amendment: The OA6 district is a suitable zoning designation on the subject properties for several reasons.

The Greensboro and South Cox Street corridors have gradually seen a transition from primarily residential uses to a mix of residential, office, and institutional uses. The multiple rezoning requests that have occurred along the corridor have consistently been supported by the Land Development Plan and in most cases have been uncontested.

The Central Small Area plan and description of the Center City Area, which comprises the majority of the properties, emphasizes both a compatible mix of uses and preservation of residential neighborhoods. The OA6 district also supports the intent of the Neighborhood Residential and Office and Institutional designations of the proposed land use map.

By allowing continued investment into residential uses but also providing for limited non-residential uses on a corridor that serves as a transition between higher intensity commercial uses and lower intensity residential uses, the proposed zoning designation is supported by both the intent of the text and map of the land development plan.

Considering these factors, the city council has concluded that the requested OA6 district for both parcels is reasonable and in the public interest.

2. In light of the above-stated analysis, the requested zoning map amendment to place the above-referenced parcels in an OA6 (Office and Apartment) zoning district is approved as consistent with the adopted plan.

Council Membes Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes. Consequently, the above-stated motion was adopted unanimously.

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

- (c) **Legislative Hearing (RZ-19-02): An application to rezone approximately 1.77 acres of land from B2 (General Commercial) to R10 (Medium-Density Residential). The land for which R10 zoning is requested is a portion of a parcel of land (Randolph County Parcel Identification Number 7750249743) on the north side of Sherwood Avenue. This property is most closely associated with the 145 Whitley Street address.**

Mayor Smith opened the public hearing, which was legislative in nature, on the request by Larry McKenzie (the "Applicant") to rezone approximately 1.77 acres of a 7.34-acre parcel from B2 (General Commercial) to R10 (Medium-Density Residential). The land to be rezoned (the "Zoning Lot") is owned by Mr. McKenzie and is located at 145 and 159 Whitley Street, on the north side of Sherwood Avenue. Randolph County Parcel Identification Number 7750249743 more specifically identifies the parcel of land of which the land to be rezoned is a part.

Mr. Nuttall certified that the required notices of the requested rezoning had been provided and utilized a visual presentation to summarize the planning staff's analysis of the rezoning application. The staff report noted the following:

1. The property is located inside the city limits.
2. Sherwood Avenue and Harvell Street Extension are city-maintained local streets. Whitley Street is a private street.
3. There are currently two structures that were formerly used for single-family dwellings on the property.
4. The requested R10 zoning allows for single-family and two-family dwellings. Currently, the majority of the parcel of land is zoned R10.
5. The zoning ordinance describes the intent of the R10 district as having a "moderate intensity of residential uses, usually single family or two family in character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living." The B2 district is described as "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 minor thoroughfares or higher classification streets, but never local residential streets."

6. Although the portion of the property being requested for rezoning is currently zoned B2 General Commercial, no commercial activity exists on this portion of the property.
7. The zoning ordinance generally prohibits accessing commercial property through residential property. The portion of the property zoned B2 has no public street access without using the portion of the property currently zoned R10 residential.

The Planning Board recommended approval of the request. This recommendation was based on the Planning Board's concurrence with the following analysis from the Community Development Division staff that evaluated the consistency of the requested rezoning with the adopted comprehensive plans as well as the reasonableness of the request and whether the requested rezoning is in the public interest:

Staff believes that the proposed R10 zoning district is consistent with residential zoning and single-and two-family residential uses that exist in the area and the single-family residential use of the subject property.

Although the land development plan designates a portion of this property for commercial use, staff contends that there are significant limitations in being able to develop the B2 portion of the property for commercial use if the property stands on its own without being part of a cohesive commercial development. The zoning ordinance prohibits accessing commercial property through private residential property, which precludes commercial development on the portion of the property zoned B2. The zoning ordinance description of the B2 district stating that access should be from a "minor thoroughfare or higher classification street but never local, residential streets," also makes commercial development of the B2 portion of the property less feasible.

Considering these factors, staff believes the requested R10 zoning district is generally consistent with the Land Development Plan and therefore is generally in the public interest by supporting a reasonable use of property.

Mr. Larry McKenzie was available to answer questions.

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

The city council concurred with the staff and planning board analysis of the general consistency of the request with the land development plan. Council Member Bell moved, and Council Member Burks seconded the motion, to adopt a plan consistency statement and to approve the requested rezoning with the following multi-part motion:

1. The proposed R10 zoning district is consistent with the residential zoning and the single- family and two-family residential uses that exist in the area as well as the single-family residential use of the subject property.

Although the land development plan designates a portion of this property for commercial use, there are significant limitations in being able to develop the B2 portion of the property for commercial use because the property stands on its own and is not part of a cohesive commercial development. The zoning ordinance prohibits accessing commercial property through private residential property, which precludes commercial development on the portion of the property zoned B2. The zoning ordinance description of the B2 district stating that access should be from a "minor thoroughfare or higher classification street but never local, residential streets," also makes commercial development of the B2 portion of the property less feasible.

Considering these factors, the city council has concluded that this application for a zoning map amendment is generally consistent with the Land Development Plan, is generally in the public interest, and supports a reasonable use of the property.

2. In light of the above-stated analysis, the requested zoning map amendment to place the Zoning Lot in an R10 (Medium-Density Residential) zoning district is approved as consistent with the adopted plan.

Council Members Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes. Consequently, the above-stated motion was adopted unanimously.

- (d) **Quasi-Judicial Hearing (SUP-19-02/SUB-19-01):** Ann application for a special use permit, inclusive of subdivision sketch design review and approval, for a residential planned unit development on an approximately 7.34-acre parcel of land (Randolph County Parcel Identification Number 7750249743) on the north side of Sherwood Avenue and north of Harvell Street Extension. The street addresses associated with this site are 145 Whitley Street and 159 Whitley Street.

Mayor Smith opened the public hearing on these land use cases and asked for the witnesses to be placed under oath. Community Development Director Trevor Nuttall was placed under oath and provided the Community Development Division staff's analysis of the application for the above-described Special Use Permit and subdivision sketch design approval.

Mr. Larry McKenzie (the "Applicant") filed this application in order to develop a residential planned unit development on approximately 7.34 acres of the Applicant's land that is more specifically identified by Randolph County Parcel Identification Number 7750249743 (the "Zoning Lot"). At the time of this quasi-judicial hearing, the Zoning Lot is zoned R10.

With regard to the application for a Special Use Permit, Mr. Nuttall provided the following analysis:

1. The Applicant is proposing a Residential Planned Unit Development consisting of twenty-nine (29) dwelling units.
2. Sherwood Avenue, which provides access to the proposed development, is a local, city-maintained street. As noted in Section 630, Item (3), "residential PUDs may have direct access to city streets or state roads which are not major or minor thoroughfares, provided such access will not create safety hazards due to design or congestion." The City Engineer has no objection to the street connection as proposed.
3. A combination of publicly (city) maintained and privately maintained streets are proposed.
4. A small recreation area consisting of passive picnic areas is proposed on the north side of the property.
5. The site plan shows dwelling units will consist of single-story units with single or two-vehicle garages. Of the 29 dwellings, five are standalone detached dwellings and 24 are located in structures with two dwellings in each structure.

The Applicant, Mr. Larry McKenzie, was placed under oath and addressed the four standards for the issuance of a Special Use Permit. As part of his testimony, Mr. McKenzie expressed agreement with the following conditions that were recommended by the planning staff for attachment to the requested Special Use Permit:

1. All permits from the NC Department of Environmental Quality shall be obtained as required.
2. Fire hydrant location(s) shall be coordinated with the Fire Department.
3. A declaration of restrictive covenants prohibiting recreational vehicle (including boat) parking as required by the subdivision ordinance shall be submitted and recorded with the final plat.
4. Except as noted, roads, driveways, parking areas, storm sewer systems, and other improvements shall be maintained by the homeowners' association.
5. The site plan indicates that mail delivery will be through individual mail boxes. Should the United States Postal Service require a community mail box, such drop off area shall be designed in accordance with commonly accepted traffic engineering practices. Should the developer choose or be required to construct the community mailbox and any associated vehicular areas in a location completely on private property, this shall not be considered a modification of the Special Use Permit, subject to Section 606 of the Asheboro Zoning Ordinance.
6. The following information shall be included on a revised site plan to be reviewed by city staff for inclusion into the file without further review by city council.

- (a) Additional detail concerning street lighting fixtures.

- (b) Correct labeling of Sherwood Avenue as a city-maintained street.
 - (c) Confirmation as to whether sight distance triangle located on the west side of Whitley Street at the intersection of Sherwood Avenue has an easement from the adjoining property owner. If not, this site distance triangle shall be removed.
 - (d) Detail concerning proposed front yard landscaping along Whitley Street.
7. Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute and deliver to the Zoning Administrator for recordation in the office of the Randolph County Register of Deeds a Memorandum of Land Use Restrictions prepared by the city attorney for the purpose of placing notice of the conditions attached to this Special Use Permit in the chain of title for the Zoning Lot.

When reviewing the staff analysis of the subdivision sketch design plat, Mr. Nuttall noted that Whitley Street, which is proposed as a city maintained street, contains approximately 640 linear feet. The other privately maintained streets include 1,000 linear feet. One recreation area on the northern side of the property is proposed.

The subdivision ordinance generally specifies that proposed streets provide future access to adjacent properties. All properties that are adjacent to the subject property are developed, making this requirement impractical.

Additional revisions to proposed utility locations (i.e. water, sewer, storm sewer) may be needed prior to approval of Preliminary Plat for construction. The following items shall be included on the Preliminary Plat:

- 1. Additional detail concerning street lighting fixtures.
- 2. Correct labeling of Sherwood Avenue as a city-maintained street.
- 3. Confirmation as to whether sight distance triangle located on the west side of Whitley Street at the intersection of Sherwood Avenue has an easement from the adjoining property owner. If not, this site distance triangle shall be removed.
- 4. Homeowners documents are required to be recorded with the final plat, which must include maintenance mechanisms for the common area and restrictions concerning recreational vehicle (RV) parking.
- 5. The plat contains information beyond the requirements of a Sketch Design.

Mr. Christopher Blake and Ms. Sharana Warren asked general questions in regards to the application. No one offered testimony in opposition to the Application. There being no further comments, Mayor Smith transitioned to the deliberative phase of the application process.

With regard to the Special Use Permit, Council Member Bell moved to approve the Special Use Permit. Mr. Swiers seconded the motion. Council Members Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted unanimously to approve the Special Use Permit with the conditions suggested by city staff.

With regard to the sketch design review and approval, the Council Members concurred with the recommendations of the Community Development Division staff and the Planning Board. Subject to the above-stated comments/conditions, Council Member Moffitt moved to approve the sketch design for the proposed Sherwood Townhomes. Council Member Swiers seconded the motion. Council Members Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes. Consequently, the submitted sketch design plat was approved.

The final decision document explaining these quasi-judicial decisions will be entered by the council during regular session on April 4, 2019. The visual presentation utilized by Mr. Nuttall is on file in the city clerk's office.

(e) Public Hearing on Community Development Block Grant Funds (Grant Number 14-E-2673):

Mayor Smith opened the public hearing on the above-referenced community development block grant funding (Grant Number 14-E-2673). This hearing assessed the closeout performance report for the grant dollars used to construct approximately 1,384 feet of industrial railroad spur track to provide rail access to the Technimark facility on West Central Avenue.

As part of the public hearing, Mr. Nuttall provided an executive summary of the block grant funding.

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

Upon motion by Mr. Burks and seconded by Mr. Bell, the council voted unanimously to accept, without modification, the executive summary of the block grant funding as presented by Mr. Nuttall.

- (f) **Consideration of a resolution requesting the removal of the City of Asheboro from the standard under NCGS 160A-58.1(b) that restricts satellite annexations to no more than 10% of a city's primary corporate limits.**

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

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

RESOLUTION NUMBER 12 RES 3-19

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION ENDORSING A BILL TO BE ENTITLED AN ACT REMOVING THE CAP ON SATELLITE ANNEXATIONS FOR THE CITY OF ASHEBORO

WHEREAS, the City of Asheboro is committed to providing the same level of municipal services to territory within all of the city's existing and future satellite corporate limits as is provided to territory within the primary corporate limits; and

WHEREAS, the goal of the Asheboro City Council is to attempt to accommodate voluntary requests for annexation into the City of Asheboro when all of the owners of real property that is not contiguous to the city's primary city limits properly submit a petition for satellite annexation; and

WHEREAS, Section 160A-58.1(b)(5) of the General Statutes of North Carolina provides, in pertinent part, that the "area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city;" and

WHEREAS, the City of Asheboro is currently unable to consider all requests for voluntary satellite annexation because the addition of a significant amount of territory into the municipality's satellite corporate limits would result in the total area within Asheboro's satellite corporate limits exceeding the maximum percentage of the area within the primary corporate limits permitted by G.S. 160A-58.1(b)(5), as amended by Section 3 of Session Law 1998-203; and

WHEREAS, recently introduced House Bill 170 with the short title "Asheboro Satellite Annexations" would remove for the City of Asheboro the cap on satellite annexations established by G.S. 160A-58.1(b)(5).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the governing board fully endorses House Bill 170 and the removal of the cap imposed by G.S. 160A-58.1(b)(5), as amended by Section 3 of Session Law 1998-203, on satellite annexations by the City of Asheboro.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 7th day of March, 2019.

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

ATTEST:

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

9. **A petition from Mr. Ronnie High and Mr. Ronald Thomas requesting the contiguous annexation of a parcel of land at 811 Meadowbrook Road containing 0.258 of an acre of land. [Originally listed as Agenda Item 10]**

Mayor Smith opened a public hearing on the question of the annexation petition submitted by Mr. Ronnie High and Mr. Ronald Thomas. This petition requested the contiguous annexation of a parcel of land located at 811 Meadowbrook Road.

As part of the public hearing, City Engineer Michael Leonard, PE presented the staff's analysis of the annexation petition. No citizen wished to be heard during the public hearing.

Once the city council entered the deliberative phase of the hearing, Mr. Bell moved, and Mr. Swiers seconded the motion, to approve the following annexation ordinance by reference. Council Members Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted in favor of the motion.

ORDINANCE NO. 07 ORD 3-19

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**AN ORDINANCE TO EXTEND THE ASHEBORO CITY LIMITS BY ANNEXING A PARCEL OF LAND
CONTIGUOUS TO THE EXISTING PRIMARY CITY LIMITS AT 811 MEADOWBROOK ROAD**

WHEREAS, in accordance with Section 160A-31 of the North Carolina General Statutes, Ronnie G. High and Ronald Thomas petitioned the City of Asheboro to annex into the primary city limits their approximately 11,236-square foot parcel of land at 811 Meadowbrook Road, Asheboro, North Carolina 27203; and

WHEREAS, the territory proposed for annexation is a single parcel of land identified by Randolph County Parcel Identification Number 7761173416 and more specifically described by metes and bounds in Section 1 of this Ordinance; and

WHEREAS, on February 7, 2019, by means of a duly adopted resolution (Resolution Number 06 RES 2-19), the Asheboro City Council directed the city clerk to investigate the sufficiency of the petition submitted by Mr. High and Mr. Thomas, and the city clerk has in fact certified the sufficiency of this annexation petition; and

WHEREAS, pursuant to Asheboro City Council Resolution Number 07 RES 2-19, a legal notice was published on February 15, 2019, in *The Courier-Tribune*, a newspaper with general circulation in the City of Asheboro, announcing that a public hearing to consider the adoption of an ordinance annexing the described territory into the City of Asheboro would be held during the Asheboro City Council's next meeting, which would be a regular meeting scheduled to begin at 7:00 o'clock p.m. on the 7th day of March, 2019, in the council chamber on the second floor of Asheboro City Hall, 146 North Church Street, Asheboro, North Carolina 27203; and

WHEREAS, the public hearing was held, as advertised, on the 7th day of March, 2019; 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 as follows:

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

Asheboro Township, Randolph County, North Carolina:

BEGINNING at a 1" existing iron pipe that is down 4" with a cap at the southwest corner of the Ronnie G. High and Ronald Thomas property described in Deed Book 1548, Page 866, Randolph County Registry (the Ronnie G. High and Ronald Thomas property is the parcel of land, which is identified by Randolph County Parcel Identification Number 7761173416, for which annexation is requested and will be hereafter referred to as the "Annexation Parcel"), this beginning point is on the existing City of Asheboro primary city limits line and is located by means of the North Carolina Coordinate System at the coordinates of North 717,507.61 ground US survey feet and East 1,761,300.32 ground US survey feet (NAD 83 (2011)); thence from the beginning point following the existing City of Asheboro primary city limits line along the western boundary line of the Annexation Parcel that is contiguous to the Darren Keith Lucas property described in Deed Book 2128, Page 1248, Randolph County Registry North 00 degrees 13 minutes 43 seconds West 57.88 feet to a 1" existing iron pipe that is down 2" at the northwest corner of the Annexation Parcel; thence departing from the existing primary city limits line and following the proposed City of Asheboro primary city limits line along the northern boundary line of the Annexation Parcel that is contiguous to the Garry O. Lowery property described in Deed Book 2383, Page 223, Randolph County Registry South 88 degrees 31 minutes 33 seconds East 181.78 feet to a 1" existing iron pipe that is down 4" with a cap in the western margin of the 60-foot public right-of-way for Meadowbrook Road at the northeast corner of the Annexation Parcel; thence continuing to follow the proposed City of Asheboro primary city limits line by departing from the northern boundary line for the Annexation Parcel and proceeding along the western margin of the public right-of-way for Meadowbrook Road South 01 degree 03 minutes 31 seconds East 64.93 feet to a 1/2" existing iron rod that is down 4" at the southeastern corner of the Annexation Parcel; thence continuing to run along the proposed City of Asheboro primary city limits line by departing from the western margin of the public right-of-way for Meadowbrook Road and proceeding along the southern boundary line of the Annexation Parcel that is contiguous to the Geraldine A. DeBerry (life estate) property described in Deed Book 2332, Page 1141, Randolph County Registry the following courses and distances: North 87 degrees 54 minutes 47 seconds West 101.92 feet to a point with a 60d nail set at the base of a 1/2" existing iron rod that is down 4"; thence North 00 degrees 04 minutes 42 seconds West 5.02 feet to a 1/2" existing iron rod that is down 6"; thence North 87 degrees 53 minutes 25 seconds West 80.89 feet to the point and place of BEGINNING, and containing a total of 0.258 of an acre (11,236 square feet) of land, more or less, to be annexed.

The above-stated legal description is in accordance with a plat of survey drawn under the supervision of Dan W. Tanner, II, Professional Land Surveyor with License Number L-4787. The plat of survey is titled "Annexation Survey For: Ronnie High (and) Ronald Thomas" and is identified as Job No. 10779thomas.

Section 2. Upon and after March 7, 2019, 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. The above-described 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 Randolph County Register of Deeds and in the Office of the North Carolina Secretary of State 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 163A-1594 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 7th day of March, 2019.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 7th day of March, 2019.

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

ATTEST:

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

Approved as to form:

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

10. Public comment period. [Originally listed as Agenda Item 11]

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

Mayor Smith closed the public comment period.

11. Current procurement activities at the new recreation center. [Originally listed as Agenda item 12]

(a) Bid summary and request for award of contract for the replacement of the gym floor.

City Engineer Michael Leonard, PE reported that three (3) bids were received on March 4, 2019 at 2:00 p.m. for the replacement of the gym floor at the city-owned recreation center (formerly known as McCrary Gym). He recommended the award of the contract for the project to The Sports Flooring Group with the lowest responsive, responsible bid of \$165,782.00.

Based on the staff recommendation, Mr. Moffitt moved, and Mr. Burks seconded the motion, to award the said contract to The Sports Flooring Group. Council Members Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted unanimously in favor of the motion. A copy of the bid summary is on file in the city clerk's office.

(b) Bid summary and request for award of contract for the installation of a suspended ceiling.

Mr. Leonard reported that two (2) bids were received on February 12, 2019 at 2:00 p.m. for the installation of a suspended ceiling at the city-owned recreation center. He recommended the award of the contract for the project to L.A. Acoustical & Drywall with the lowest responsive, responsible bid of \$44,406.00.

Based on the staff recommendation, Mr. Moffitt moved, and Mr. Burks seconded the motion, to award the contract to L.A. Acoustical & Drywall. Council Members Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted unanimously in favor of the motion. A copy of the bid summary is on file in the city clerk's office.

(c) Consideration of budget ordinance amendments in support of the contracts awarded for the recreation center.

Mr. Ogburn presented and recommended adoption, by reference, of an ordinance to amend the general fund.

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

08 ORD 3-19

ORDINANCE TO AMEND THE GENERAL FUND FY 2017-2018

WHEREAS, The City of Asheboro has accepted bids to install new gymnasium flooring and suspended drop ceiling at the McCrary Gym, and;

WHEREAS, the lowest responsive bid for the gymnasium flooring was from The Sports Flooring Group. and the lowest responsive bid for the suspended drop ceiling was from L.A. Acoustical & Drywall, and;

WHEREAS, The City Council of the City of Asheboro desires to amend the budget as required by law to adjust for these changes 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:

<u>Account #</u>	<u>Revenue Description</u>	<u>Increase</u>
10-399-0000	Fund Balance Allocation	211,000

Section 1: That the following Expense line item be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-620-1509	Maint. & Repair McCrary Gym	211,000

Adopted this 7th day of March, 2019.

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

ATTEST:

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

12. Approval of a “Letter of Agreement for Airport Safety/Maintenance Projects” between the N.C. Division of Aviation and the City of Asheboro. [Originally listed as Agenda Item 13]

Mr. Leonard recommended approval of a “Letter of Agreement for Airport Safety/Maintenance Projects” between the N.C. Division of Aviation and the City of Asheboro. Upon motion by Mr. Moffitt, and seconded by Ms. Carter, the Council approved the request and authorized the adoption of the following resolution prepared by the North Carolina Department of Transportation. Council Members Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes.

13 RES 3-19

Resolution of the Sponsor

A motion was made by (Name and title) Walker B. Moffitt, Council Member, and seconded by (Name and Title) Linda H. Carter, Council Member, for the adoption of the following resolution, upon being put to a vote it was duly adopted:

THAT WHEREAS the City of Asheboro (hereinafter referred to as "Sponsor") the North Carolina Department of Transportation (hereinafter referred to as "Department") requires a Commitment and Release of Liability statement to be on file, in order to provide and oversee maintenance and safety improvements on the operational surfaces of the (Official Airport Name) Asheboro Regional Airport; in accordance with the provisions of North Carolina General Statute 63.

NOW THEREFORE, BE IT AND IS HEREBY RESOLVED, that the (Title of Airport Official) Mayor of the Sponsor be and is hereby authorized and empowered to enter into a Commitment and Release of Liability with the Department, thereby binding the Sponsor to fulfillment of its obligation as incurred under this resolution and its commitment to the Department.

[A copy of the approved "LETTER OF AGREEMENT FOR AIRPORT SAFETY/MAINTENANCE PROJECTS" is on file in the city clerk's office and is incorporated into these minutes by reference.]

13. Discussion concerning alcoholic beverage control issues:

- (a) **Consideration of a resolution in support of the current alcoholic beverage control system and opposing the merger of all of the ABC boards within a county.**

Mayor Smith presented a resolution in support of the current alcoholic beverage control system and opposing the merger of all of the ABC boards within a county.

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

RESOLUTION NUMBER _____ **14 RES 3-19**

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**A RESOLUTION IN SUPPORT OF THE CURRENT ALCOHOLIC BEVERAGE CONTROL SYSTEM
AND IN OPPOSITION TO THE FORCED MERGER OF ALL ABC BOARDS WITHIN A COUNTY**

WHEREAS, North Carolina is a "control" state and private retail liquor stores are prohibited; and

WHEREAS, North Carolina is unique in the United States as it allows communities to vote to establish local ABC boards for the control, sale, and distribution of spirituous liquor in their communities and to have local input into the operation of such local boards, with profits distributed back to those communities directly from those local voter-approved boards, thereby reducing the need to increase local property taxes; and

WHEREAS, the citizens of the City of Asheboro, in voting to permit the operation of ABC stores, did not vote to allow spirits to be sold in private retail liquor stores and did not vote to allow spirits to be sold in retail outlets where beer and wine are sold; and

WHEREAS, the North Carolina General Assembly's nonpartisan Program Evaluation Division (PED) was directed to examine whether other systems for alcohol beverage control, including privatized systems, and the model used by the State of Washington which recently changed its beverage control system from state government control to a licensure model, are appropriate for North Carolina; and

WHEREAS, the PED Report, "Changing How North Carolina Controls Liquor Sales Has Operational, Regulatory, and Financial Ramifications," released on February 11, 2019, (1) did not recommend privatization; (2) found that, among the southeastern states, North Carolina collects the most revenue per gallon, has the lowest outlet density, and the second lowest per capita consumption; and (3) the PED expects retail liquor consumption to increase by 20% and prices to increase by 25% if privatization occurs; and

WHEREAS, when Washington State privatized its liquor system, the number of retail outlets increased from 328 to over 1400, hours of sale/week increased from 73 to 140 hours, and Washington State received only \$30.75 million from auctioning off the rights to apply for retail spirits permits at 167 stores; and

WHEREAS, privatization will result in a marked increase in the number of outlets, longer hours of sale, greater advertising and more promotion and significantly more consumption; and the 9,000 outlets in North Carolina that sell beer/wine off-premises could be permitted to sell liquor in a privatized system; and

WHEREAS, of the 50 states, North Carolina ranks 44th lowest in consumption per capita and 7th highest in revenue per capita and North Carolina's ABC system accomplishes both revenue and public health, welfare and safety objectives; and

WHEREAS, for the fiscal year ending 2018, local ABC boards distributed \$430,635,861: County-City Distributions \$80 million; State General Fund \$323 million; Local Alcohol Education/Treatment \$13 million; Local Law Enforcement \$8.8 million; Rehabilitation Services \$5 million; and Operation of ABC Commission/Warehouse \$17.7 million; and

WHEREAS, no State funds are spent to control the distribution or sale of spirituous liquor in North Carolina, as all State and local ABC operations are funded by purchases made from local ABC boards; and

WHEREAS, legislation has been introduced in the North Carolina General Assembly to force all boards in North Carolina located within the same county to merge into a single board and under the legislation the Asheboro ABC Board would be forced by the State of North Carolina, regardless of the desires of the local government, and without the power of negotiation as currently provided by law, to merge into one board with the Liberty ABC Board, the Randleman ABC Board, and the Ramseur ABC Board; and

WHEREAS, Section 18B-703 of the North Carolina General Statutes currently allows local governments to negotiate a merger of its ABC system with other ABC systems, or to dissolve such mergers, dependent upon facts, circumstances, and benefits to the local community as determined by the local government; and

WHEREAS, local control over the sale of spirituous liquor is an important function of the local government as directed by local voters; and

WHEREAS, local revenue from Asheboro ABC Board operations is important to the City of Asheboro.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the City of Asheboro does hereby support the continuance of North Carolina's current control system for the sale and control of spirituous liquor and believes that privatization of liquor sales will lead to many adverse effects; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the City of Asheboro believes the forced merger of all of the local ABC boards within a single county into a single board supersedes and ignores the will of local voters that approved the establishment of each local board.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 7th day of March, 2019.

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

ATTEST:

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

(b) Consideration of expanding the alcoholic beverage options for the Asheboro Regional Airport and the Sunset Theatre.

Mayor Smith led a discussion in regards to the possibility of expanding the alcoholic beverage options for the Asheboro Regional Airport and the Sunset Theatre. In essence, the council members discussed whether or not alcoholic beverages could be sold during certain events on the premises of the Asheboro Regional Airport and the Sunset Theatre.

In regards to the Asheboro Regional Airport, the question pertains to enabling the N.C. Aviation Museum to sell wine and beer as part of fund raising events for the nonprofit corporation. Throughout discussion, the council members expressed comments and concerns in regards to limiting the sale of alcoholic beverages to the premises of the aviation museum.

After some discussion, Mr. Moffitt moved to direct the city attorney to draft a proposed ordinance, based on the council's discussion, granting a limited authorization for the sale of wine and beer on the premises of the aviation museum during events held by the nonprofit corporation. Mr. Bell seconded the motion. Council Members Bell, Burks, Carter, Moffitt, Redding, Snuggs, and Swiers voted unanimously in favor of the motion.

In regards to the Sunset Theatre, the council members discussed whether or not the city should be an ABC permit holder in order to allow wine and beer to be sold during certain events, such as theatrical productions, held in the Sunset Theatre. In order to pursue such a course of action, the city's cultural and recreation services manual would need to be amended.

After discussion, Mr. Bell moved to direct the city attorney to draft an ordinance amending the city's cultural and recreation services manual in order to provide the recreation services director with the authorization to facilitate the permitting needed to enable organizations such as theatrical production companies to hold events that could include the sale of wine and beer at the Sunset Theatre. Mr. Swiers seconded the motion. Council Members Bell, Burks, Moffitt, Redding, Snuggs, and Swiers voted in favor of the motion. Council Member Carter voted no.

The proposed ordinances will be presented to the council for review at the council's regular April meeting.

14. Upcoming events. [Originally listed as Agenda Item 15]

Mayor Smith led a discussion of upcoming events occurring within the city government and the community in general. No action was taken by the city council during this portion of the meeting.

There being no further business, the meeting was adjourned at 9:37 pm.

Holly H. Doerr, CMC, NCCMC, City Clerk

David H. Smith, Mayor

Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on February 4, 2019

The Asheboro ABC Board met on Monday, February 4, 2019, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC.

Present were Chair Brooke Schmidly, Board Member Steve Knight, Board Member Bob Morrison, and General Manager Rodney Johnson (GM). A quorum being present, the Chair called the meeting to order for the transaction of business and business transacted as follows:

The Chair inquired as to any known conflict of interest, appearance of a conflict of interest, or objections concerning agenda items before the Board; after Board member(s) voiced having no conflict, and there being no objection, the agenda was adopted.

The Board reviewed and there being no objection, approved the minutes of the January 7, 2019, Board meeting.

Steve Knight and the GM reviewed Board finances and reported all finances remain consistent (sales and expenses).

2018 ABC Enforcement Stats from Asheboro PD were reviewed.

1st and 2nd Quarter 2019 Grant Applications from Alcohol and Drug Services, Asheboro Shelter of Hope, Family Crises Center, Randolph County Schools, and Randolph Fellowship Homes were reviewed by the Board. After review and discussion, the Chair moved to fund 100% of the request from Randolph County Schools and Bob Morrison moved to fund 100% the request from Family Crises Center. Both motions were approved by the Board.

The Board heard reports from the General Manager concerning the following issues:

1. Asheboro ABC sales statistics comparing:
 - January 2019 sales with the previous month indicate:
 - An overall -44.1% change (all sales and tax collections)
 - January 2019 sales with sales from the same month last year indicate:
 - Retail Sales +3.5% (\$229,793.55)
 - Mixed Beverage Sales: +34.2% (\$38,777.20)
 - Sales Tax Collections: +3.5% (\$16,105.51)
 - Overall Collections: +6.87% (\$284,676.36)
 - January 2019 bottle sales with bottle sales from the same month last year indicate:
 - Retail Bottle Sales: +2.5%
 - Mixed Beverage Bottle Sales: +34.6%
 - Overall Bottle Sales: +4.2%

The next regular Asheboro ABC Board meeting will be held Monday, March 4, 2019, at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Rodney Johnson, GM, and Approved by the Board 3-4-19 
GM







RZ-19-03: Request for Text Amendments to the zoning ordinance concerning maximum allowable floor area ratios for multiple family dwellings filed by Wynnefield Properties, Inc.

Planning Board Recommendation and Staff Report

Rezoning Staff Report

RZ Case # RZ-19-03

Date 4/1/19 PB and 4/4/19 City Council

General Information

Applicant Wynnefield Properties, Inc. C. Craig Stone

Address PO Box 395

City Asheboro NC 27203

Phone 336-822-0765

Location N/A

Requested Action Text amendment to the zoning ordinance concerning permissible maximum floor area ratios for multi-family residential developments

Existing Zone N/A

Existing Land Use N/A

Size N/A

Pin # N/A

Applicant's Reasons as stated on application

See attached. Applicant response included both RZ-19-03 (zoning text amendment) and RZ-19-04 (rezoning concerning 481 NC Hwy. 49 S.). Staff notes that these are two separate cases and the proposed text amendments would apply to any project within the applicable jurisdiction.

Surrounding Land Use

North N/A

East N/A

South N/A

West N/A

Zoning History 3-1999: FAR in RA6 district was reduced from 0.33 by right and 0.45 with SUP to 0.17. 4-2000: FAR with SUP increased to 0.22 in RA6 district. 3-2018: Last update concerning FAR for uses other than multi-family.

Legal Description

Text amendments to the zoning ordinance related to permissible floor area ratios for developments with multiple family dwellings, including Table 200-1, Table of Uses 200-2 and Notes, Article 300A, Article 600, and Article 1100.

Analysis

1. The request is to amend the zoning ordinance to establish a maximum allowable floor area ratio (FAR) of 43% for multiple family developments within the RA6 High-Density residential district and OA6 Office and Apartment zoning district that meet certain development standards and obtain a Special Use Permit. Open space ratio would be established at 40% and recreation space ratio at 6.6%.
2. Floor Area Ratio (FAR) is a ratio of gross floor area to land area. Gross floor area generally includes enclosed conditioned space that is used for habitation.
3. Current zoning regulations permit a FAR of up to 22% with a Special Use Permit. No specific special use standards apply beyond the general permit standards.
4. For illustration purposes, an allowable FAR of 43% on a lot with 100,000 square feet would permit development with a total gross floor area of 43,000 SF. This cumulative gross floor area is allowed regardless of the number of stories in a structure (i.e. a single-story structure with 20,000 SF of floor area would yield the same FAR as a two-story structure with 10,000 SF of floor area on each level).
5. Floor area ratio provisions do not apply within the Center City Planning Area. Within this area, overall density and bulk is regulated through maximum permitted built-upon area and height restrictions.
6. The applicant proposes specific use standards for projects seeking a 43% FAR. These standards are provided in new section 653 and include property access requirements, enhanced landscaping and building design requirements, stormwater control requirements, and increased recreational area criteria.

Rezoning Staff Report

RZ Case # RZ-19-03

Page 2

Consistency with the 2020 LDP Growth Strategy designations

In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.

Proposed Land Use Map Designation N/A

Small Area Plan N/A

Growth Strategy Map Designation N/A

LDP Goals/Policies Which Support Request

Goal 2.3: Compact, interconnected and sustainable development patterns

Goal 3.2: Quality design demanding appropriate scale and context

3.2.2: The City will require a variety of landscaping techniques that are appropriately designed based on the desired function (i.e. riparian buffers around creeks, shade trees in parking lots, dense and expansive screening between uses of significantly different intensities, preservation of environmental character, front yard landscaping and street trees, etc.).

Rezoning Staff Report

RZ Case # RZ-19-03

Page 3

LDP Goals/Policies Which Do Not Support Request

Goal 3.1: Enhancement, maintenance, and preservation of the built environment

Checklist Item 10: Text amendment is not consistent with Land Category Descriptions. **Staff Note:** This item is selected due to the "Urban Residential" Land Category description specifying that higher density developments be located primarily around the town/city and village centers. The proposed amendment creates the possibility for higher density residential developments outside the Center City Planning Area, where such uses are currently allowed to go beyond the current maximum 22% floor area ratio.

Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

The Land Development Plan (LDP) generally encourages site design, density and architecture of new residential development to be compatible with adjoining neighborhoods and land uses. During LDP preparation, significant public input was received related to the appropriate size and scale of multi-family developments. The LDP also states its vision for “urban residential” development to be located “within walking distance of commercial areas and major thoroughfares.” The applicant’s proposal includes development standards that can achieve these plan objectives and policies while retaining the ability for public participation through the Special Use Permit (SUP) process. The standards and the SUP process should result in developments with a FAR of up to 43% locating in appropriate places that are compatible with surrounding land uses and provide convenient access to supporting commercial services and adequate public infrastructure.

Considering these factors, staff believes that the requested text amendments are reasonable and in the public interest.

Recommendation In light of the above analysis, staff's recommendation is to approve the text amendment request.

Table 200-1
Table of Area, Height, Bulk and Placement Regulations

District	Minimum Lot Size in Sq. Ft.	Lot Width (Frontage) In Feet*	Front Required Yard in Feet*	Side Required Yard In Feet*	Rear Required Yard in Feet*	Maximum Height in Feet*	Maximum Floor Area Ratio*	Open Space Ratio*	Recreation Ratio*
R40	40,000 SF 80,000 Duplex 40,000 NonRes	100	30	15	25	35	22% 22% 22%		
			1 Single Family or 1 Duplex Only						
R15	15,000	100	30	15	25	35	22%		
			1 Single Family Only						
R10	10,000 SF 15,000 Duplex 10,000 NonRes	75	30	10	25	35	22% 22% 22%		
			1 Single Family or 1 Duplex Only						
R7.5	7,500 SF 11,500 Duplex 7,500 NonRes	60	25	10	20	35	22% 22% 22%		
			1 Single Family or 1 Duplex Only						
RA6	Residential (SF & Duplex) 6,000	60	25	10	20	35	22%		
	Multi Family: Maximum 4 Units Permitted Less than 45,000						17%	30%	
	Multi Family: Greater than 45,000						17%	52%	3.3%
	Multi Family: Greater than 45,000 with SUP						22%	52%	3.3%
	<u>Multi Family: Greater than 45,000 with SUP authorized by Article 600, Section 653</u>						43%	40%	6.6%
	Non-residential 6,000	60	25	10	20	35	22%		
OA6	Residential (SF & Duplex) 6,000	60	25	10	20	35	22%		
	Multi Family: Maximum 4 Units Permitted Less than 45,000						17%	30%	
	Multi Family: Greater than 45,000						17%	52%	3.3%
	Multi Family: Greater than 45,000 with SUP						22%	52%	3.3%
	<u>Multi Family: Greater than 45,000 with SUP authorized by Article 600, Section 653</u>						43%	40%	6.6%
	Non-residential 6,000	60	25	10	20	35	30%		
	Multi Use: Minimum 45,000 for 5 or more units						30%		
O&I	6,000	60	25	10	20	35	30%		
	Multi Use: Minimum 45,000 for 5 or more units						30%		
B1	6,000	60	25	15	15	25	33%		
M	10,000	75	25	10	10	25	33%		
B2	10,000	75	25	0 or 5	0 or 5	35	100%		
TH	40,000	100	30	10	10	35	100%		
B3	N/A	N/A	0	0 or 5	0 or 5	50	N/A		
I1	10,000	75	10	10	10	45	N/A		
I2	20,000	100	10	10	10	45	N/A		
I3	30,000	100	50	20	20	45	N/A		

*Except as specifically modified by this Ordinance

Revised 4/2019

Table 200-2
Table of Permitted Uses (Amended 8-6-2015)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Dwelling Multiple Family Units up to .17 FAR	MF					P	P										Note 15
Dwelling Multiple Family Units up to .22 FAR	MF					S	S										Note 15
<u>Dwelling Multiple Family Units up to .43 FAR</u>	<u>Per Section 653</u>					<u>S</u>	<u>S</u>										<u>Section 653</u>
Dwelling Single Family Units	SF	P	P	P	P	P	P										
Dwelling Two Family Units	SF	P		P	P	P	P										
Dwelling within Mixed Use Structure							P						P				Note 16
Eating Establishments - Drivein	2										P	P					
Eating Establishments - Walkin / Carry-out	2								P	P	P	P	P				

P - Permitted as Principal Use in District
S - Permitted by Special Use Permit
A - Permitted as Accessory Use Only

New Proposed Section 653 of the Asheboro Zoning Ordinance
Residential Development with Multiple Family Structures with a Gross Floor Area Ratio in
Excess of 0.22 and Up to 0.43

653 Residential Development with Multiple Family Structures with a Gross Floor Area Ratio in Excess of 0.22 and Up to 0.43.

- 653.1 Development shall comply with all applicable zoning and subdivision ordinance standards except as modified herein.
- 653.2 Access shall be from a minor thoroughfare or higher classification street.
- 653.3 No parking shall be permitted within the first 25 feet of the required front yard.
- 653.4 Overflow parking spaces for visitors shall be provided. One overflow parking space shall be provided for every ten (10) required parking spaces within the development.
- 653.5 Parking of recreational vehicles, including but not limited to watercraft, travel trailers, and campers, is not permitted unless such parking occurs within an entirely enclosed structure that complies with the requirements of the Zoning Ordinance.
- 653.6 Within the required front yard, there shall be planted and maintained one tree which is not less than six feet in height at the time of planting, for each twenty linear feet of street frontage or portion thereof, and one evergreen shrub for each ten linear feet of street frontage or portion thereof. The balance of the required front yard shall be covered with evergreen ground cover or mulch.
- 653.7 A Type D buffer or screen shall be provided adjacent to single or two-family uses or zoning districts. A Type A buffer or screen shall be provided adjacent to all other uses or zoning districts.
- 653.8 Foundation plantings consisting of evergreen shrubs shall be installed along the entire front foundation wall of each building. Plant installation shall be a minimum of two feet in height planted at six-foot intervals.
- 653.9 All Facades: One hundred (100) percent of the area below the fascia of any building, excluding trim and similar architectural detailing but including doors and windows, shall be finished with any Building Code approved material except:
 - (a) Unfinished wood, concrete block (except split-faced block), vinyl siding, metal panels, metal painted panels and any metal panel with "rib" or "u" configuration.

- (b) Laminated, composite or press board wood type materials composed of layers of firmly united wood materials made by bonding or impregnating superposed layers with resin and compressed under heat.

- 653.10 All multifamily structures less than three (3) stories in height using a sloped roof shall have a minimum slope of 5 in 12 on the principal roof. All multifamily structures not using a sloped roof shall have a parapet wall above the roof of at least three (3) feet in height.
- 653.11 Stormwater control measures designed by a licensed professional in accordance with the current North Carolina Department of Environmental Quality Stormwater BMP Manual shall be provided. Measures shall control the ten-year post-development peak discharge rates to pre-development peak flow rates. Prior to a Certificate of Occupancy, a licensed professional shall provide certification that the storm water control measures were built according to the plans. Any open water retention or drainage areas shall be managed to control mosquitos. The maintenance of all runoff control measures shall be the responsibility of the property owner.
- 653.12 The minimum recreation ratio may be satisfied with a mixture of indoor and outdoor amenity space, provided that no more than fifty (50) percent of the recreated space is located within an enclosed structure.
- 653.13 A full-time on-site manager shall be provided for multifamily dwellings with a total of 75 units or more. A permanent office shall be provided for the manager. The floor area contained in the on-site manager's office shall not be counted in the total FAR.

Application for Zoning Ordinance Amendment

APPLICANT INFORMATION

Applicant Wynnefield Properties, Inc.

Applicant's Phone # 336-822-0765

Applicant's Address PO Box 395

Jamestown, NC 27282

PROPERTY INFORMATION FOR MAP AMENDMENTS

Property Owner's Name Debra Burrows Setzer, Milton F. Yates Estate, Roger D. Yates

Location of Property 481 S. NC 49 HWY, Asheboro, NC

Property Size (ac. or s.f.) 4.01 +/- acres

Randolph County Property Identification Number (PIN#) 7740931871 & 7740941140

Current Zoning District B-2 General Commercial

Requested Zoning District CU-RA6

Date Property Title Acquired 01/01/1981

Deed Book 00081E Page 00146

Subdivision _____ Section _____ Lot # _____

Plat Book _____ Page _____

ORDINANCE AMENDMENT INFORMATION

Section 1011.2 of the Asheboro Zoning Ordinance requires the applicant to answer the following questions. The application may not be accepted unless all questions are completed.

1. Are there alleged errors in this Ordinance that would be corrected by the proposed amendment? If so, give a detailed explanation of such error and detailed reasons how the proposed amendment will correct the errors.

Our proposal to develop a 72 multifamily community on this property is currently not allowed due to restrictions within the Asheboro Zoning Ordinance. We believe the current ordinance is overly restrictive preventing any project similar to our proposal

2. What are the changed or changing conditions, if any, in the jurisdiction of the City of Asheboro generally, which would make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare?

We feel that approval of our proposed amendment would not only allow for our development but would also enhance

future development allowing for uses such as quality housing within the City of Asheboro.

3. In what manner will the proposed amendment carry out the intent of the Land Development Plan?

Our proposal with the amended ordinance would allow and promote diversity of developments including the future development of quality housing.

4. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

We feel that the current code restricts the property in a way that limits future development by not efficiently utilizing available property for multifamily housing communities.

APPLICANT AND AGENT SIGNATURES

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant. The applicant for rezoning to any district other than a conditional use district shall be prohibited from offering any testimony or evidence concerning the specific manner in which he or she intends to use or develop the property.

^{OWNER}
Name of Agent (if any)

Ryan Yates

Agent's Address

Todd F. Yates

Todd F. Yates

Telephone Number

^{OWNER}
Agent Signature

Name of Applicant or Owner
Wynnefield Properties, Inc.

C. Craig Stone

Applicant or Owner's Address

PO Box 395, Jamestown, NC 27282

Telephone Number

336-822-0765

Applicant or Owner Signature

C. Craig Stone

Owner's Signature (if different than applicant)

STAFF USE

Received by: JLE Date: 2-6-19 Case Number: RZ-19-031
RZ-19-04



RZ-19-04: Requests related to property at 481 NC Hwy. 49 South

1. Request to rezone from B2 (General Commercial) to CU-RA6 (Conditional Use High-Density Residential): Planning Board Recommendation and Staff Report
2. Conditional Use Permit for Development with Multiple Family Units with a Gross FAR of up to .43: Staff report

Planning Board Recommendation & Comments to City Council

NOTE: Have applicant Certify to Council mailings to all adjoining property owners.

Case # **RZ-19**
 -04

Date 3/4/19 PB

Applicant Wynnefield Properties, Inc.

Legal Description

The properties of Debra Burrows Setzer, Milton F. Yates Estate, and Roger Yates (481 NC Hwy. 49 S.), totaling approximately 4.01 acres +/- & more specifically identified by Randolph County Parcel Identification Numbers 7740931871 & 7740941140.

Requested Action Rezone from B2 General Commercial to CU-RA6 Conditional Use High-Density Residential

Existing Zone B2

Land Development Plan See Rezoning staff report

Planning Board Recommendation

Approve.

Reason for Recommendation

The Planning Board concurred with staff reasoning.

Planning Board Comments

Rezoning Staff Report

RZ Case # RZ-19-04

Date 4/4/2019 City Council

General Information

Applicant Wynnefield Properties, Inc. C. Craig Stone

Address PO Box 395

City Asheboro NC 27203

Phone 336-822-0765

Location 481 NC Hwy. 49 South

Requested Action Rezone from B2 General Commercial to CU-RA6 Conditional Use High-Density Residential

Existing Zone B2 General Commercial **Existing Land Use** Single-Family Dwelling

Size 4.01 acres +/-

Pin # 7740931871 & 7740941140

Applicant's Reasons as stated on application

See attached. Applicant response included both RZ-19-03 and RZ-19-04. Staff notes that these are two separate cases.

Surrounding Land Use

North Industrial/Commercial/Single-Family

East Commercial

South Undeveloped commercial

West Commercially zoned with legal non conforming residential

Zoning History

Legal Description

The properties of Debra Burrows Setzer, Milton F. Yates Estate, and Roger Yates (481 NC Hwy. 49 S.), totaling approximately 4.01 acres +/- & more specifically identified by Randolph County Parcel Identification Numbers 7740931871 & 7740941140. **Notices were mailed to adjoining property owners on March 18, 2019.**

Analysis

1. The property is inside the city limits.
2. NC 49 South is a state-maintained major thoroughfare.
3. The applicant has requested rezoning to a Conditional Use High-Density Residential zoning district. The zoning ordinance describes the underlying RA6 zoning district as follows: "...Intended to produce a high intensity of residential uses in close proximity to major nodes of non-residential development, characterized primarily by group housing, plus the necessary governmental and other support facilities to service that level of development. Land designated RA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged."
4. The applicant has also filed a Conditional Use Permit for a multi-family residential development.
5. The area is characterized by a mix of commercial, industrial, and residential uses, including a multi-family residential development to the southeast consisting of 216 dwelling units.

Rezoning Staff Report

RZ Case # RZ-19-04

Page 2

Consistency with the 2020 LDP Growth Strategy designations

In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.

Proposed Land Use Map Designation Commercial
Small Area Plan Southwest
Growth Strategy Map Designation Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 3: The property on which the rezoning district is proposed fits the description of the Zoning Ordinance. (*Article 200, Section 210, Schedule of Statements of Intent*)

Checklist Item 5: Complies with Growth Strategy Map

Checklist Items 12 and 13: 12.) Property is located outside of watershed 13.) The property is located outside of Special Hazard Flood Area.

Rezoning Staff Report

RZ Case # RZ-19-04

Page 3

LDP Goals/Policies Which Do Not Support Request

Checklist Item 1: Does not comply with LDP proposed land use map

Checklist Item 14: Rezoning is located on steep slopes of greater than 20%.

Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

Although the request doesn't align with the Land Development Plan map designation of the property for commercial use, several factors support the requested Conditional Use High-Density Residential district.

The property is in close proximity to another significant multi-family residential use as well as complementary commercial development. This immediacy supports the LDP's objective of locating urban residential uses in close proximity to supportive non-residential uses.

The Conditional Use permitting process can also help ensure that the property develops in a manner consistent with the Land Development Plan's "urban residential" description, including design features that promote walkability and harmony with surrounding land uses.

Considering these factors, staff believes that the proposed zoning map amendment is reasonable and in the public interest

Recommendation In light of the above analysis, staff's recommendation is to approve the CU-RA6 district request.

Conditional Use Permit Staff Report

CUP Case No. CUP-19-04

4/4/19 City Council

General Information

Name Wynnefield Properties, Inc. (C. Craig Stone)

Address PO Box 395
Jamestown NC 27282

Phone

Pin # 7740931871 & 7740941140

Location 481 NC Hwy. 49 S.

Requested Action: Conditional Use Permit for Development with Multiple Family Units

Existing Zone B2

Existing Land Use Single-family dwelling

Size 4.01 acres +/-

Applicant's Reason as stated on application

Our firm respectfully requests the approval of our proposal to develop a 72 unit multifamily community at NC Hwy. 49 S. Our proposed project would consist of a mix of one, two and three bedroom apartment homes using mostly brick and hardiboard construction with metal constructed staircases in all breezeways.

Surrounding Land Use

North Industrial/Commercial/Single-Family

East Commercial

South Undeveloped commercial

West Commercially zoned with legal non conforming residential

Zoning History N/A

Growth Strategy Map Primary Growth

Proposed L D P Map Commercial

Legal Description

The properties of Debra Burrows Setzer, Milton F. Yates Estate, and Roger Yates (481 NC Hwy. 49 S.), totaling approximately 4.01 acres +/- & more specifically identified by Randolph County Parcel Identification Numbers 7740931871 & 7740941140.

Analysis

1. The request is for a multiple family residential development consisting of a total of residential 72 units.
2. The current B2 General Commercial district requires rezoning for the proposed use. The applicant has also filed a request to rezone the property to CU-RA6 Conditional Use High-Density Residential.
3. The applicant has requested text amendments to the zoning ordinance that would apply to all multiple family developments, except as noted in the proposed text. The site plan's compliance with the zoning ordinance is dependent on the proposed text amendments being approved as proposed due to the density (43 percent Gross Floor Area) that exceeds the current maximum floor area ratio specified by the zoning ordinance (17 percent by right & 22 percent with a Special or Conditional Use Permit).
4. One entrance from NC Hwy. 49 South is proposed.
5. The proposed development consists of two residential structures with three levels plus an office/clubhouse for residents' use.
6. NCDOT has been contacted. No additional traffic signal will be required. However, restriping of the intersection with the property's driveway and NC Hwy. 49 South may be required. NCDOT has also indicated that the sidewalk shown parallel to NC 49 S. will need to be relocated further into the interior of the public right-of-way.
7. One comment from a Planning Board member during its regular March 4, 2019 meeting inquired about Asheboro City Schools view of this proposal. Although not required by the zoning ordinance, following this Planning Board meeting, City staff contacted ACS staff & they indicated they was no specific concerns with the project.

LDP Conformity Issues See rezoning application for this property. Also, see proposed text amendment (RZ-19-03) concerning a discussion of the density of this type of development.

Conditional Use Permit Staff Report

CUP Case No. CUP-19-04

Page 2

Staff Comments

Suggested Conditions

(A) The developer shall provide a survey completed by a licensed surveyor showing the addition of a fire hydrant(s) on the the property that are built in a location acceptable to the City of Asheboro Fire Chief. This survey shall be in a form satisfactory to the City Attorney, who will prepare and record an instrument detailing the City's ability to access and maintain the hydrant(s) and related infrastructure.

(B) Should additional pedestrian, vehicular and/or driveway connections be added to adjoining properties in a manner consistent with the requirements of the Asheboro Zoning Ordinance, such action will not be considered a modification of the Conditional Use Permit. Prior to this occurring, the applicant shall submit a revised site plan to City staff for review and inclusion in the file without further review by City Council.

(C) The exact location of the sidewalk parallel to NC 49 South shall be subject to approval by NCDOT. Should NCDOT not issue an encroachment agreement for a sidewalk within the public right-of-way, the applicant may construct a sidewalk parallel to NC Hwy. 49 S. within private property in order to provide pedestrian access.

(D) Should the applicant choose to add additional dumpster(s), this shall not be considered a modification as long as it is consistent with the requirements of the Asheboro Zoning Ordinance.

(E) The following information shall be included on a revised site plan to be reviewed by City staff for inclusion into the file without further review by City Council.

(i) Front yard landscaping compliant with zoning ordinance

(ii) Spelling of "space" in open space.

(iii) Correct calculation of recreational space than what is shown on the site plan. *Staff Note: The applicant labels less recreation space (3,000 SF) that what is proposed on the site plan.*

(F) Prior to issuance of zoning compliance permit, the following approvals are required:

(i) NCDOT driveway permit

(ii) NCDEQ erosion control permit

(iii) Plans showing outdoor lighting information compliant with Section 318A of Asheboro Zoning Ordinance.

(G) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute, and deliver to the Zoning Administrator for recordation in the office of the Randolph County Register of Deeds a Memorandum of Land Use Restrictions prepared by the City Attorney for the purpose of placing notice of the conditions attached to this Conditional Use Permit in the chain of title for the Zoning Lot.

For Conditional Use Permit Hearings:

The following tests shall be found in favor of the applicant by the City Council.

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted an approved.
2. That the use meets all required conditions and specifications of the Asheboro Zoning Ordinance.
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity,
4. That the location and character of the use if developed according to the plan as submitted and approved is in harmony with the area in which it is to be located and in general conformity with the plan of development of Asheboro and its environs.

If any Conditional Use Permit is discontinued for a period of 180 days; or the permit is not initiated within 180 days; or replaced by a use otherwise permitted in the zoning district, it shall be deemed abandoned and the Conditional Use Permit shall be null and void and of no effect.

Conditional Use Permit Staff Report

Requirements for Permit

Page 3

CUP-19-04

John Evans

Subject: FW: [External] RE: Proposed apartments adjacent to Food Lion on NC 49 S. in Asheboro

From: Kitchen, Matthew W [mailto:mwkitchen@ncdot.gov]

Sent: Monday, March 25, 2019 5:05 PM

To: John Evans; Owens, Frankie D; Pate, Mickey

Subject: RE: [External] RE: Proposed apartments adjacent to Food Lion on NC 49 S. in Asheboro

John,

As a follow up to our phone conversation earlier, the sidewalk as proposed on the site plan cannot be installed. Since there is no curb and gutter the sidewalk will have to be installed beyond the ditch line and at a minimum of 16 LF from the edge of pavement. This distance is based on the roadways current design speed and volume. We can work with the developer through his site plan and driveway permit process to ensure the adequate recovery area is met. Should you have any questions please do not hesitate to contact us.

Thanks,
Matt

Matthew W. Kitchen, PE
District Engineer
Division 8 - District 1

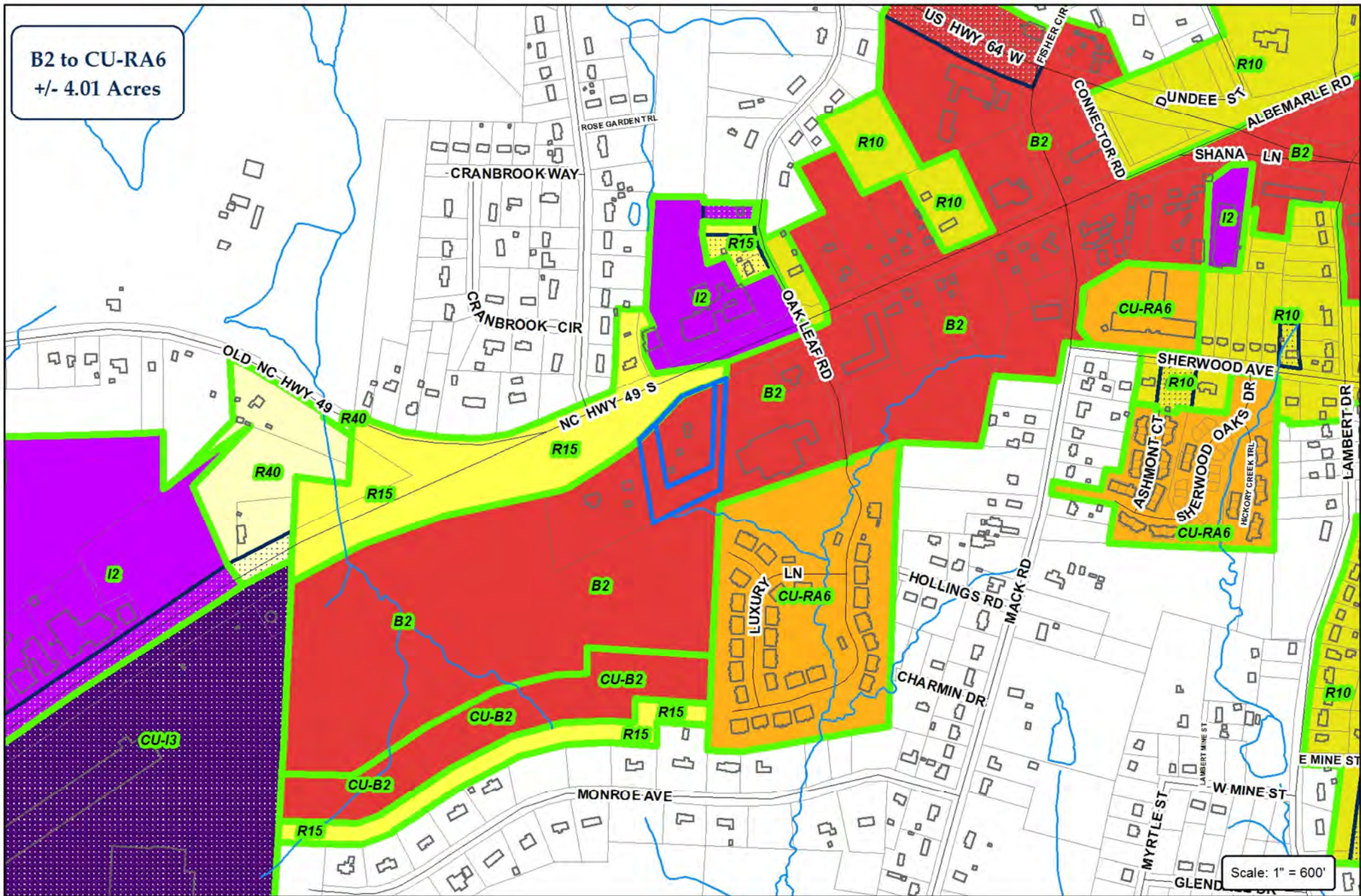
336-318-4000 Office
mwkitchen@ncdot.gov

300 DOT Drive
PO Box 1164
Asheboro, NC 27204



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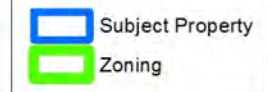
B2 to CU-RA6
+/- 4.01 Acres



City of Asheboro Planning & Zoning Department

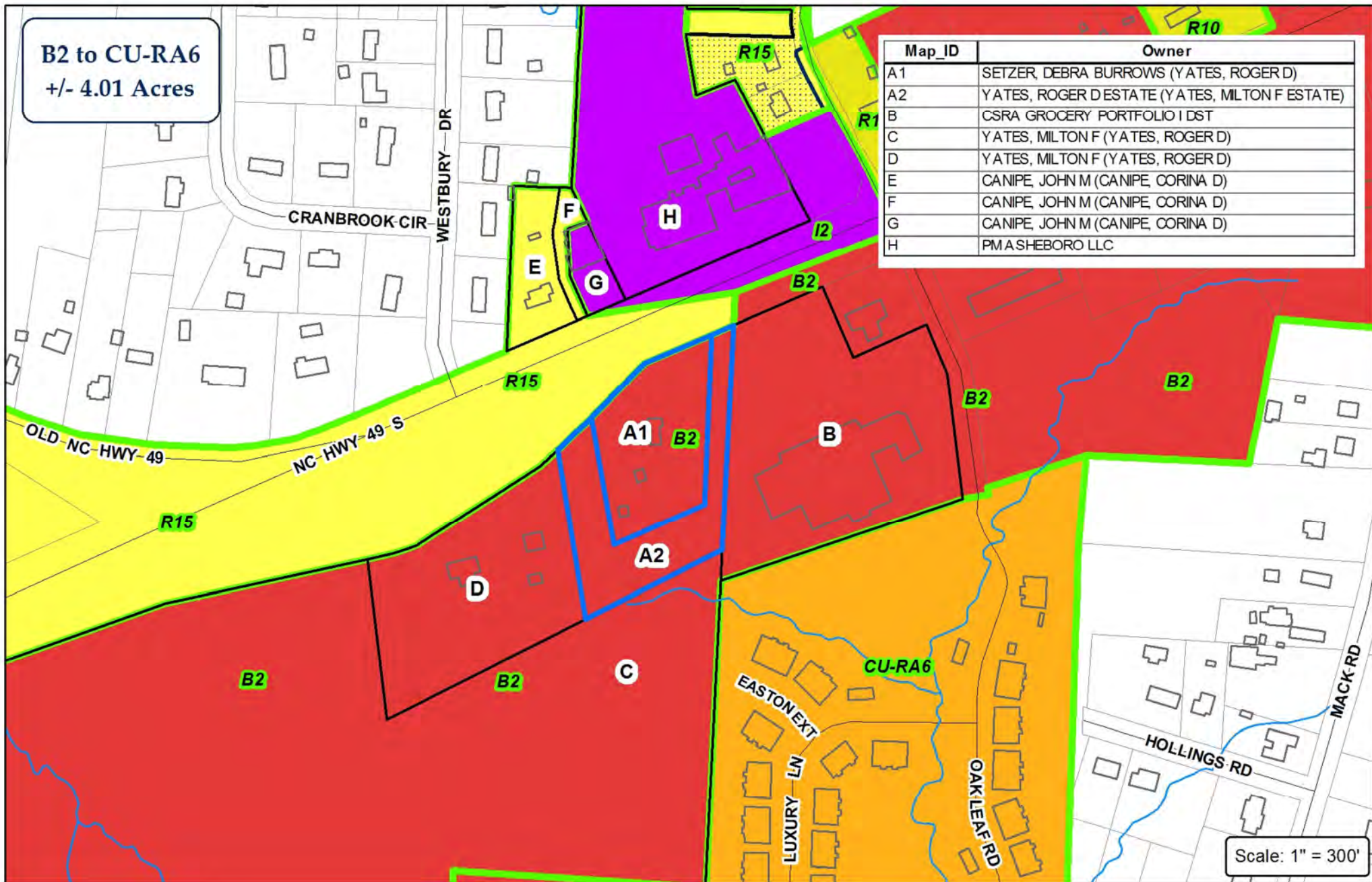
Rezoning Case: RZ-19-04
Conditional Use Permit: CUP-19-04

Parcel: 7740931871 & 7740941140



**B2 to CU-RA6
+/- 4.01 Acres**

Map_ID	Owner
A1	SETZER, DEBRA BURROWS (YATES, ROGER D)
A2	YATES, ROGER D ESTATE (YATES, MILTON F ESTATE)
B	CSRA GROCERY PORTFOLIO I DST
C	YATES, MILTON F (YATES, ROGER D)
D	YATES, MILTON F (YATES, ROGER D)
E	CANIPE, JOHN M (CANIPE, CORINA D)
F	CANIPE, JOHN M (CANIPE, CORINA D)
G	CANIPE, JOHN M (CANIPE, CORINA D)
H	PM ASHEBORO LLC



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-19-04

Conditional Use Permit: CUP-19-04

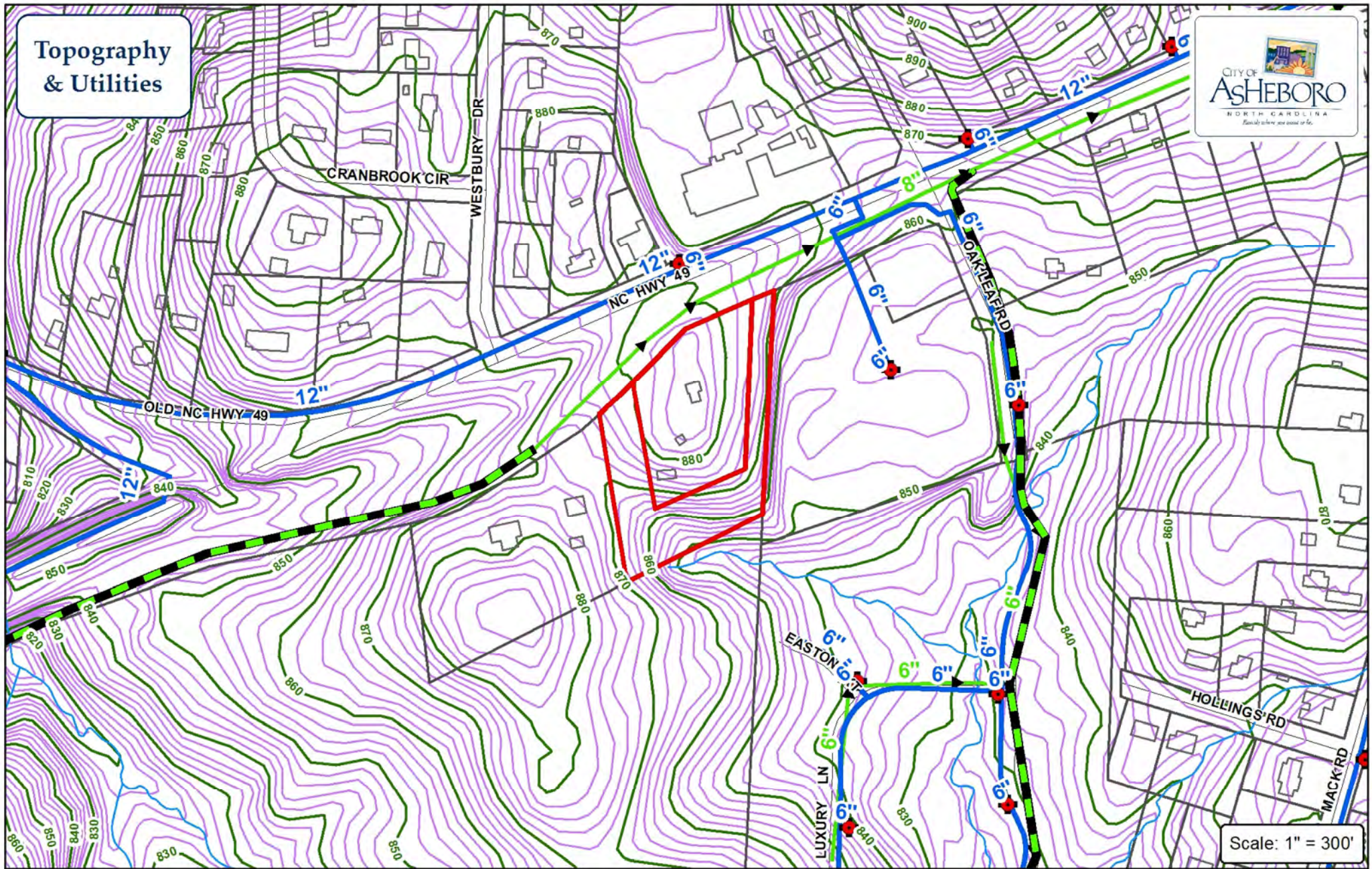
Parcel: 7740931871 & 7740941140



- Subject Property
- Adjoining Properties
- Zoning



Topography & Utilities



Scale: 1" = 300'

- | | |
|---|--|
|  Water Main |  Fire Hydrant |
|  Sewer Main |  Pump Station |
|  Force Main | |

City of Asheboro
 Planning & Zoning Department
 Rezoning Case: RZ-19-04
 Conditional Use Permit: CUP-19-04
 Parcel: 7740931871 & 7740941140

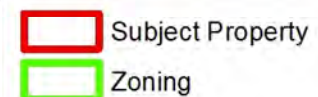
 Subject Property





City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-19-04
Conditional Use Permit: CUP-19-04
Parcel: 7740931871 & 7740941140



CEDAR POINT

ASHEBORO, NC 1-07-2019

REQUIRED SITE AMENITIES:

- ④ PLAYGROUND - (W/ MIN. 1 BENCH)
- ⑤ MULTI-PURPOSE ROOM (MIN. 250 SQ. FT.)
- ⑥ COVERED PICNIC AREA - (150 SQ.FT. W/ 2 TABLES & GRILL)

ADDITIONAL AMENITIES:

- ④ OUTDOOR SITTING AREAS W/ BENCHES - (MIN. 3 LOCATIONS)
- ⑤ EXERCISE ROOM - (W/ NEW EQUIPMENT)
- ⑥ RESIDENT COMPUTER CENTER - (MIN. 2 COMPUTERS)

FIRE HYDRANTS WILL BE PROVIDED FOR FIRE DEPARTMENT REQUIREMENTS.

SITE INFORMATION:

SITE: 4.01 +/- ACRES
DENSITY: 17.95 UNITS/ACRES
BUILDINGS: (1) 1-STORY CLUBHOUSE
(2) 3-STORY APARTMENT BUILDING
SPRINKLERS: 13R
PARKING SPACES: 2 SPACES/ UNIT WITH 2+ BR = 120 SPACES
1 SPACE/ UNIT WITH 1+ BR = 15 SPACES
VISITOR SPACE 10% = 152 SPACES
TOTAL = 135 SPACES
TOTAL LAND NOT COVERED BY IMPERVIOUS SURFACE IS 43% = 75,110 SF
RECREATION AREA: REQUIRED- 3.3% = 2997.4 SF
PROVIDED - 3,000 SF

UNIT INFORMATION:

Unit Type	Unit Count	Unit Area	Unit Area	Unit Area	Unit Area
1 BEDROOM "A"	705	742	12	8,460	8,504
2 BEDROOM "B"	367	1,055	36	34,812	36,540
3 BEDROOM "C"	1,124	1,177	12	13,688	14,834
3 BEDROOM "C"	1,140	1,194	12	13,688	14,834
Total			72	70,448	73,696

MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
25 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800
CEDAR POINT
ASHEBORO, NC

ARCHITECTURAL SITE PLAN
KPD
DATE: 01-07-19
1-07-19
2017-2019
3-1-19

NOT RELEASED FOR CONSTRUCTION



CSP.1



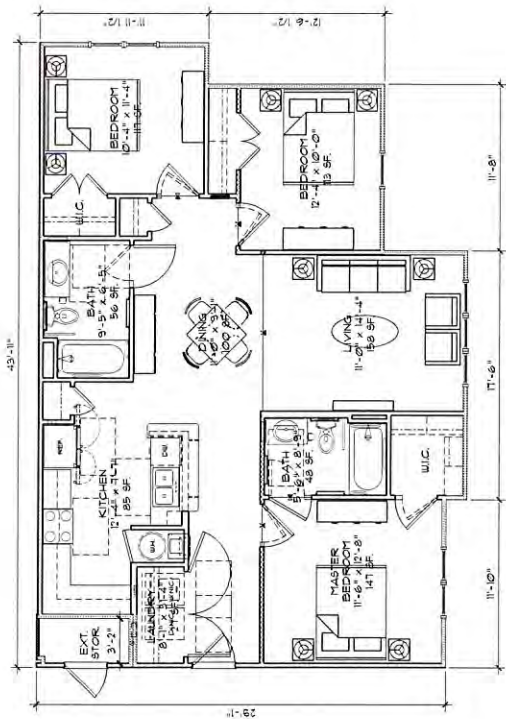


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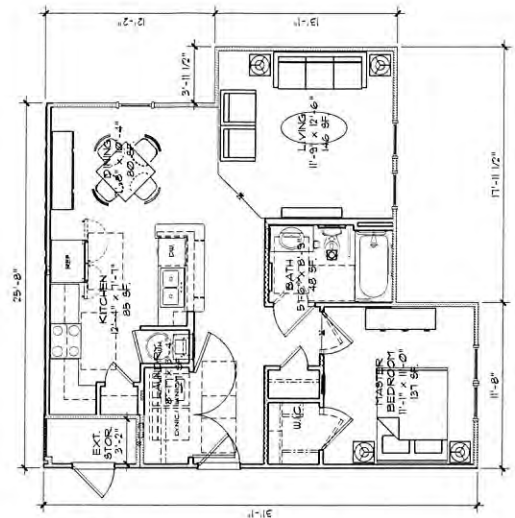
MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
25 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800
ASHBORO, NC

UNIT FLOORPLANS

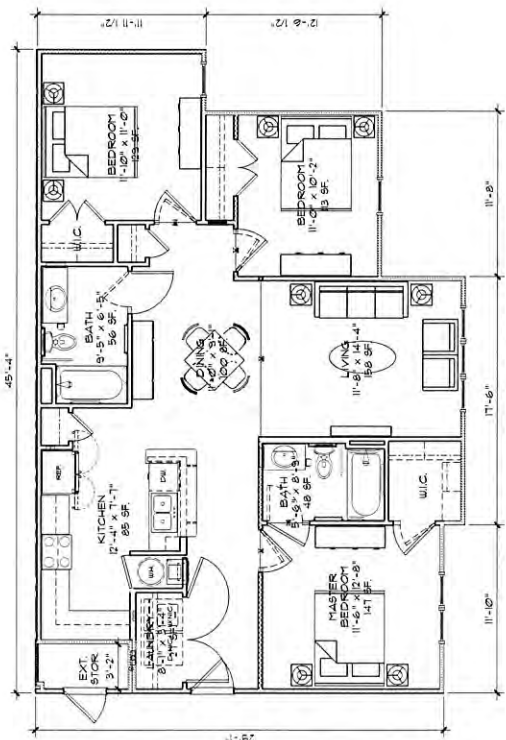
REVISION	DATE	BY	APP'D
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2017-09-25	1-27-19	K.D.	
2017-09-25	1-27-19	K.D.	



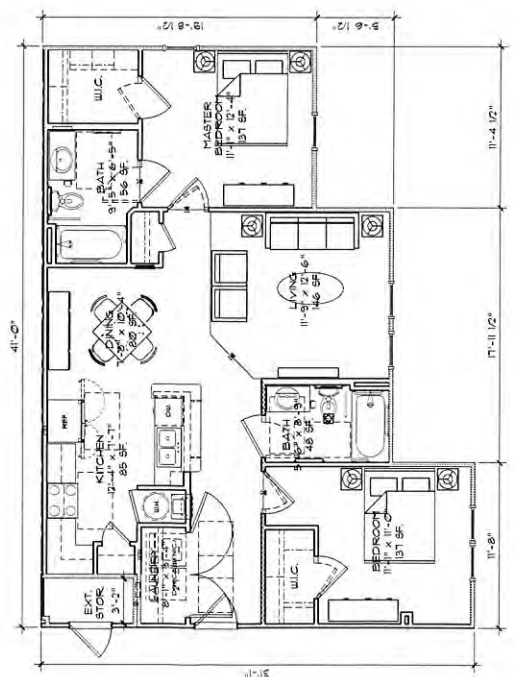
3 TYPICAL THREE BEDROOM UNIT "C1" - FLOOR PLANS
1/4" = 1'-0"
PAINT TO PAINT AREA = 104 SF.



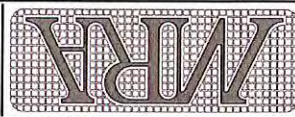
1 TYPICAL ONE BEDROOM UNIT "A1" - FLOOR PLANS
1/4" = 1'-0"
PAINT TO PAINT AREA = 104 SF.



4 TYPICAL THREE BEDROOM UNIT "C2" - FLOOR PLANS
1/4" = 1'-0"
PAINT TO PAINT AREA = 104 SF.



2 TYPICAL TWO BEDROOM UNIT "B1" - FLOOR PLANS
1/4" = 1'-0"
PAINT TO PAINT AREA = 94 SF.

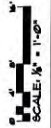


A2

MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
25 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-573-2800
CEDAR POINT
ASHEBORO, NC

BUILDING 100 & 200 - ELEVATIONS

PROJECT	2017-098
SUB	1-07-15
DATE BY / CHECKED BY	KPD
REVISION	

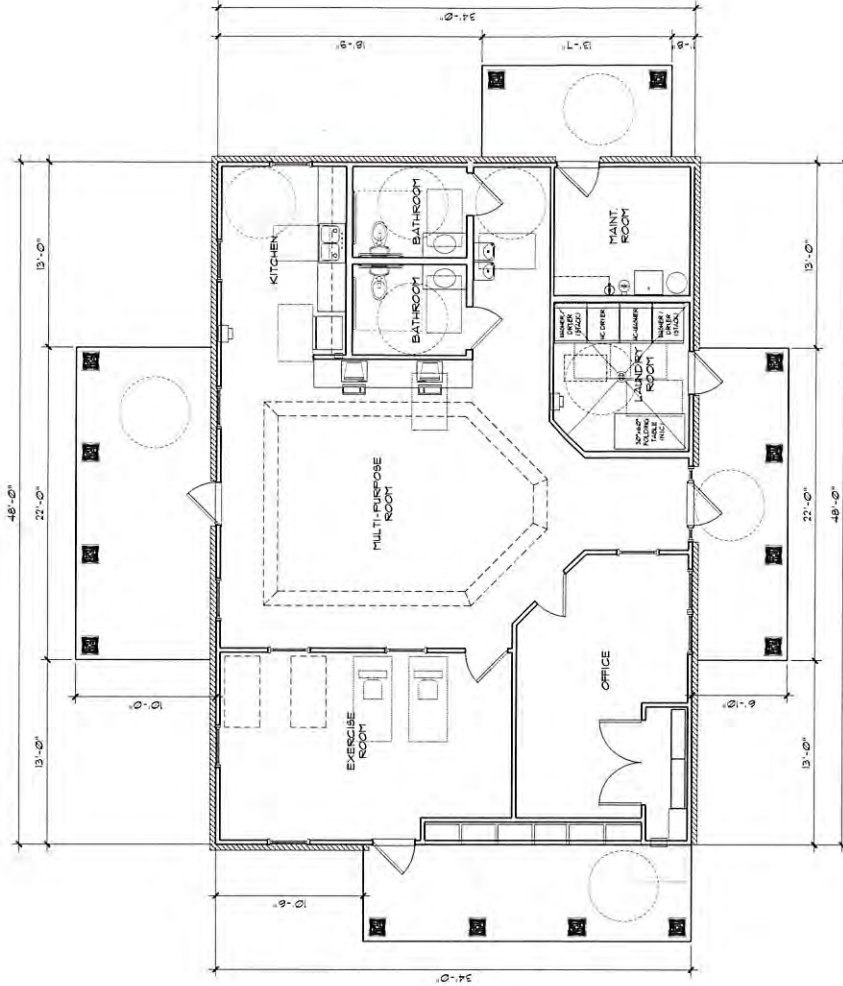


1 BUILDING 100 & 200 - REAR ELEVATIONS
333' x 140'

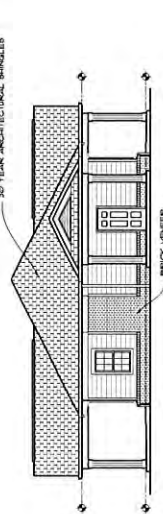
2 BUILDING 100 & 200 - SIDE ELEVATION
100' x 140'

2 BUILDING 100 & 200 - SIDE ELEVATION
100' x 140'

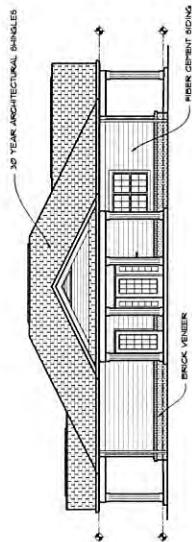
1 BUILDING 100 & 200 - FRONT ELEVATIONS
333' x 140'



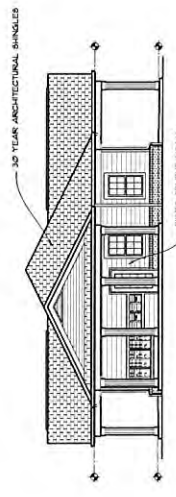
1 CLUBHOUSE - BUILDING FLOOR PLAN
1/4" = 1'-0"
136-4 87, GRC-66



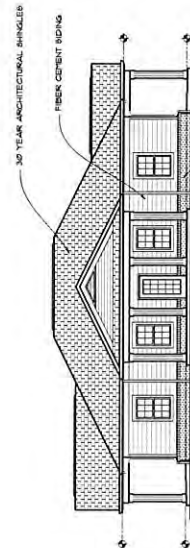
5 CLUBHOUSE - SIDE ELEVATION
1/8" = 1'-0"



4 CLUBHOUSE - REAR ELEVATION



3 CLUBHOUSE - SIDE ELEVATION
1/8" = 1'-0"



2 CLUBHOUSE - FRONT ELEVATION
1/8" = 1'-0"



RZ-19-05: Request to rezone property from R10 Medium-Density Residential and RA6 (High-Density Residential) to O&I (Office & Institutional)

1644, 1702, & 1712 North Fayetteville St.

Planning Board Recommendation & Staff Report

Planning Board Recommendation & Comments to City Council

NOTE: Have applicant Certify to Council mailings to all adjoining property owners.

Case # **RZ-19
-05**

Date 3/4/19 PB

Applicant Balfour Baptist Church

Legal Description

The properties of Balfour Baptist Church, located at 1644, 1702 & 1712 N. Fayetteville St., consisting of a portion of Randolph County Parcel Identification Numbers 7762064208, 7762065123, 7762067634, and totaling approximately 6.3 acres +/-.

Requested Action Rezone from R-10 (Medium-Density Residential) and RA6 (High-Density Residential) to O&I (Office & Institutional)

Staff Note: It was determined after the Planning Board meeting that a small portion of property to the rear of 1644 N. Fayetteville St.(Parcel # 7762064208) included in the request is zoned RA6.

Existing Zone R10 (Note: The B2 portion of the property is not part of the request.)

Land Development Plan See Rezoning staff report

Planning Board Recommendation

Approve.

Reason for Recommendation

The Planning Board concurred with staff reasoning.

Planning Board Comments

Rezoning Staff Report

RZ Case # RZ-19-05

Date 4/4/19 City Council

General Information

Applicant Balfour Baptist Church

Address 1644 N. Fayetteville St.

City Asheboro NC 27203

Phone 336-672-0075

Location 1644, 1702, 1712 N. Fayetteville St.

Requested Action Rezone from R-10 (Medium-Density Residential) and RA6 (High-Density Residential) to O&I Office & Institutional

Existing Zone R10/RA6

Existing Land Use Place of Worship (A portion of the property is undeveloped).

Size 6.3 acres +/-

Pin # 7762064208, 7762065123, 7762067634

Applicant's Reasons as stated on application

Office & Institutional zoning is more compatible with the long term goals of Balfour Baptist Church. Office and Institutional offers more effective potential as it relates to the future programming needs of Balfour. Needs assessments require appropriate planning for the management of future growth.

Surrounding Land Use

North Commercial/Institutional/Manufactured home

East Single-family residential/undeveloped

South Single-family

West Single-Family/Commercial

Zoning History N/A

Legal Description

The properties of Balfour Baptist Church, located at 1644, 1702 & 1712 N. Fayetteville St., consisting of a portion of Randolph County Parcel Identification Numbers 7762064208, 7762065123, 7762067634, and totaling approximately 6.3 acres +/-.

Notices were mailed to adjoining property owners on March 18, 2019.

Analysis

1. The property is inside the city limits.
2. North Fayetteville St. is a state-maintained major thoroughfare. East Bailey St. is a local, city-maintained street.
3. The applicant is requesting that the portion of the property that is currently zoned B2 remain B2. The requested O&I (Office & Institutional) district is only proposed for the portion of the property currently zoned R10.
4. The zoning ordinance describes the O&I Commercial District as "intended to produce moderate intensity office and institutional development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated O&I shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged."
5. There is currently a place of worship occupying the properties. Tax records indicate that the current structures have been in place since 1950 (1644 N. Fayetteville St.), 1967 (1702 N. Fayetteville St.), and 1976 (1712 N. Fayetteville St.). A place of worship is permitted by right in an O&I district along with the other permitted uses (such as medical/professional offices, schools, cultural centers, light services uses such as hair salons). Significant additions or modifications (such as adding more than 5 percent additional parking) requires a Special Use Permit when located in a residential zoning district.
6. The majority of the property located at 1644 N. Fayetteville St. and 1702 N. Fayetteville St. is developed with structures and/or parking. The majority of the property located at 1712 N. Fayetteville St. (Parcel ID 7762067634) is undeveloped.

Rezoning Staff Report

RZ Case # RZ-19-05

Page 2

Consistency with the 2020 LDP Growth Strategy designations

In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.

Proposed Land Use Map Designation Commercial/Neighborhood Residential

Small Area Plan Northeast

Growth Strategy Map Designation Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 1: Complies with LDP proposed land use map (portion of the property)

Checklist Item 3: The property on which the rezoning district is proposed fits the description of the Zoning Ordinance. (*Article 200, Section 210, Schedule of Statements of Intent*)

Checklist Item 5: Complies with Growth Strategy Map

2.1.5: The City will ensure development regulations provide appropriate transitional land uses, such as office and institutional, between high-intensity industrial/commercial and low-intensity residential uses.

Checklist Items 12, 13, and 14: 12.) Property is located outside of watershed 13.) The property is located outside of Special Hazard Flood Area. 14.) Rezoning is not located on steep slopes of greater than 20%.

Rezoning Staff Report

RZ Case # RZ-19-05

Page 3

LDP Goals/Policies Which Do Not Support Request

Checklist Item 1: Does not comply with LDP proposed land use map (rear/eastern portion of properties)

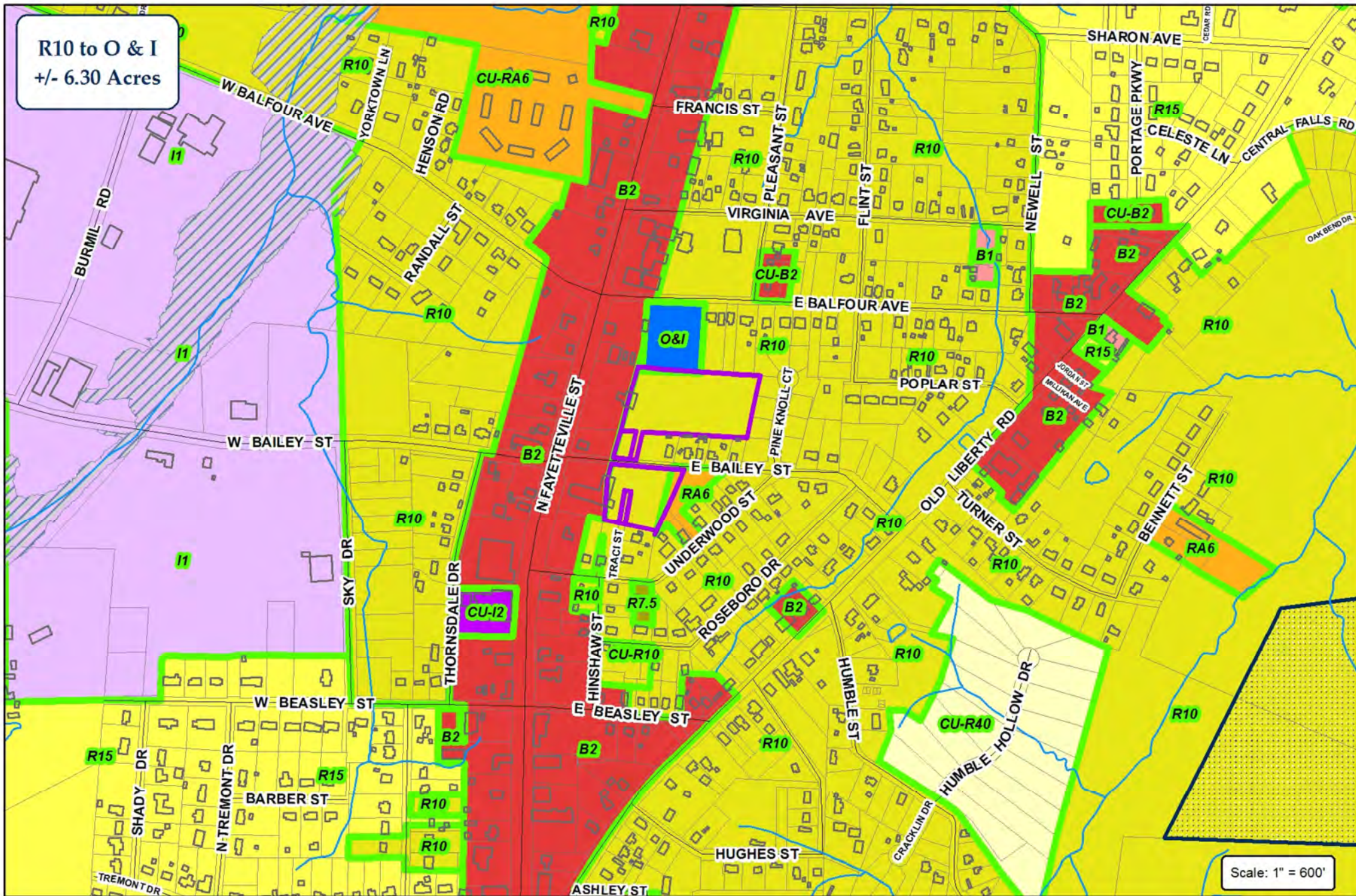
Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

Staff believes that the request is generally consistent with the Land Development Plan. The LDP directly supports extending commercial zoning an additional 100 feet east of the B2/R10 zoning line. Further the established use of each of the properties is also consistent with an Office & Institutional designation and there are surrounding uses in the vicinity (such as a school, emergency public use facility, and other places of worship) that make an O&I zoning district an appropriate zoning designation. Additionally, the O&I district can serve as an effective transition between the existing B2 zoning on the front portion of the property and residential uses to the east.

While there are a number of residential properties directly abutting parcel 7762067364, the limited number of non-residential uses allowed in the O&I district combined with O&I landscaping requirements help to mitigate concerns over possible adverse impacts to adjoining residential properties.

Recommendation In light of the above analysis, staff's recommendation is to approve the O&I district request.

R10 to O & I
+/- 6.30 Acres



City of Asheboro Planning & Zoning Department

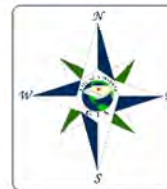
Rezoning Case: RZ-19-05

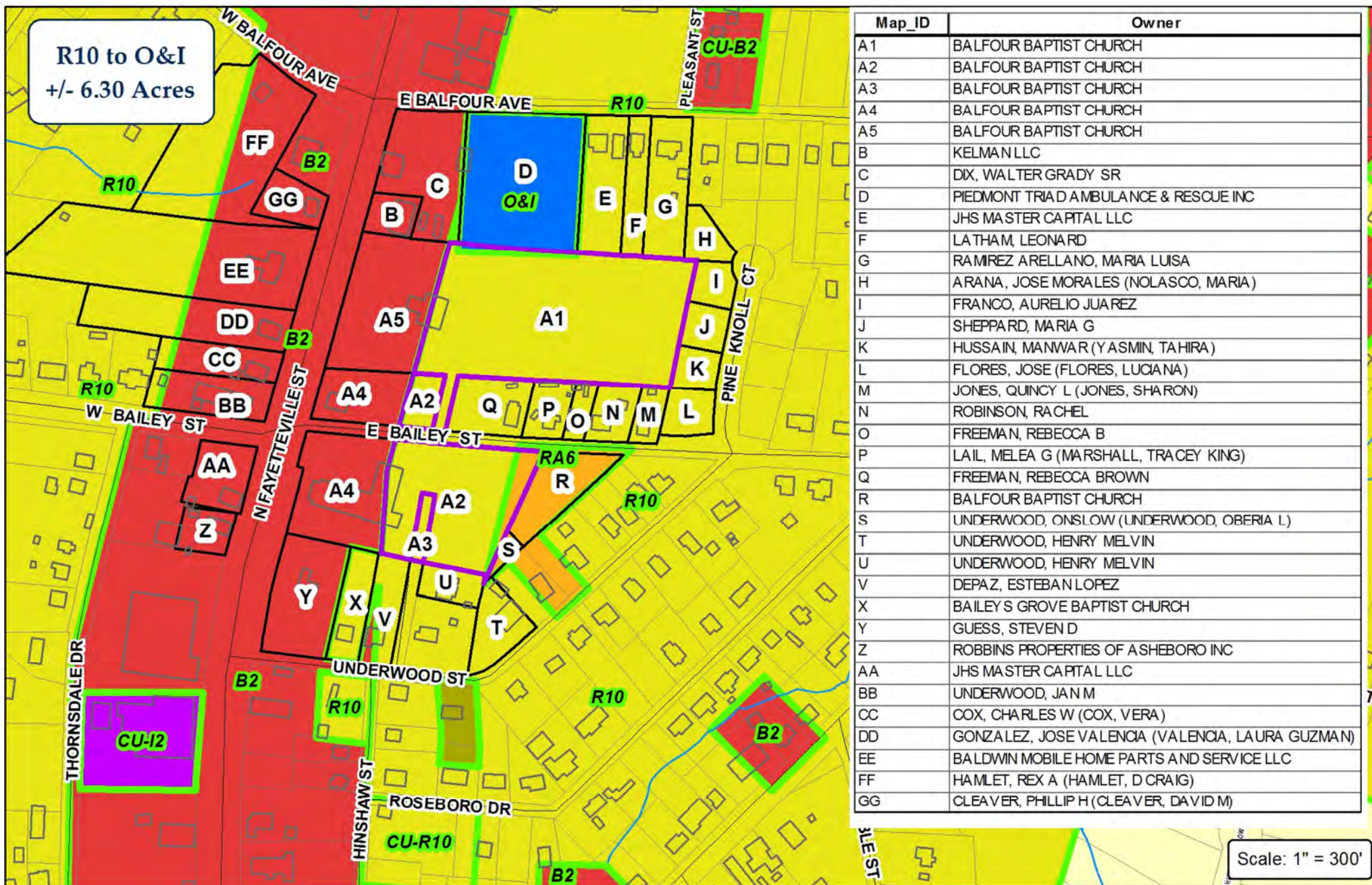
Parcel: 7762064208, 7762065123 & 7762067634



ETJ

Subject Property
Zoning

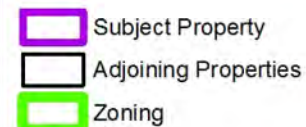




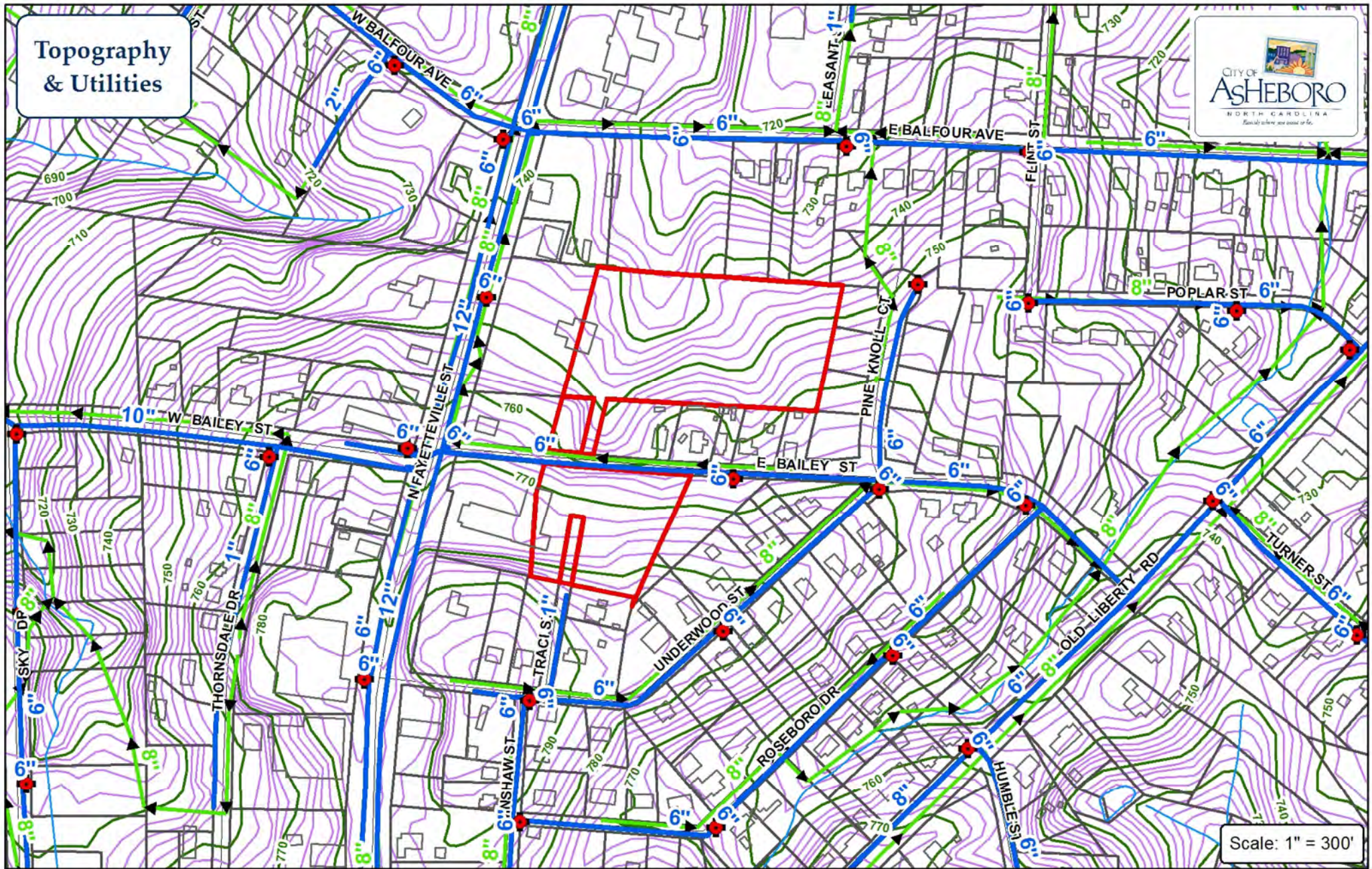
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-19-05

Parcel: 7762064208, 7762065123 & 7762067634

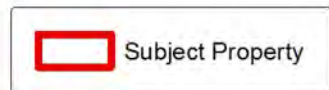


Topography & Utilities



-  Water Main
-  Sewer Main
-  Force Main
-  Fire Hydrant
-  Pump Station

City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-19-05
Parcel: 7762064208, 7762065123 & 7762067634

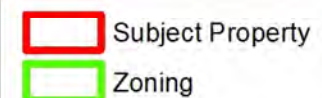




City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-19-05

Parcel: 7762064208, 7762065123 & 7762067634





TO: City Council
FROM: Trevor L. Nuttall, Director
DATE: 4-3-19
RE: Zoning Ordinance Permitted Use Table Review

At the December 6, 2018 City Council meeting, there was consensus among the board that staff perform an examination of the Zoning Ordinance's Table of Permitted Uses. More specifically, staff was tasked with identifying any potential uses currently permitted by right that may warrant additional scrutiny by the governing board due to the potential for adverse community impacts.

Staff has completed this review and reports the following:

1. Certain agricultural-related uses, namely livestock production, are permitted in all residential zoning districts by right and may be incompatible with residential zoning district descriptions.
2. Clean (inert) material landfills are permitted in the I1 and I2 zoning districts by right with no additional development standards beyond customary zoning requirements. Council may wish to investigate development standards that pertain to size, access or other criteria.
3. The application of sludge is permitted by right in the majority of the city's zoning districts. While there are state rules that pertain to municipal wastewater sludge applications, the lack of an ordinance definition combined with the allowance of such use within all residential zoning districts may result in land use conflicts.

Planning and Zoning staff will pursue any amendment deemed appropriate by Council.

Table 200-2
Table of Permitted Uses (Amended 8-6-2015)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Agricultural Uses Genuine		P	P	P	P	P	P	P	P	P	P	P					Note 41
Airport/ Helaport														S	S	S	Section 615
Amusement Parks	3													P	P		
Animal Hospital / Vet Clinic General	2										P			P	P		Note 2
Bakery - On and Off premises sale permitted Wholesale & Retail	3													P	P		
Bakery - On premises sale only	2								P	P	P	P	P				
Bakery Distribution Center-- with Retail Sales Permitted NO BAKING PERMITTED	3										P			P	P		
Bank - Automatic Teller	2						P	P	P	P	P	P	P	P			

P - Permitted as Principal Use in District
S - Permitted by Special Use Permit
A - Permitted as Accessory Use Only

Notes to Table 200-2: Supplemental Requirements

<u>Note #</u>	<u>Note</u>
41	Storage of not more than 2,000 gallons of motor fuels for use by Agricultural- genuine or golf courses, where allowed, shall be permitted as provided containment in an U. L. approved (or other approved testing agency) tank/dispensing system or a tank/dispensing system constructed under NFPA standards. Any installation for the storage of motor fuels shall meet NFPA pamphlet #30 requirements for the containment of spillage, and NC State Building Code/NFPA Standards. All such installations shall be approved by the Asheboro Fire Department.
42	
43	Clubs and related activities operated for members only and not available for public use. Related activities may include dining and other food and beverage services.
44	Child care centers are permitted as an accessory use to a church, synagogue or non profit organization use. The center may not exceed 25% of any measurement of the principal use (square footage, land area, parking, etc.)
45	This type of development generally includes more then one principle structure and use with associated accessory structures and uses on one zoning lot which will not be subdivided into customary building lots. The development as a whole (including all principle structures and accessory structures) may not exceed the permitted FAR as specified in Table 200-2. All yard, height, setback, parking, buffer and screening etc. requirements of this ordinance shall be met for the development as a whole.
47	A Zoning Compliance Permit is required. This classification is not for temporary sales.
48	A Zoning Compliance Permit is required. This classification is not for temporary sales.
49	Reserved for future use.
50	
51	
52	These uses shall provide a screening yard width equivalent to or greater than the respective required buffer width in that district. Planting materials (i.e. trees, shrubs, ground cover) shall be equivalent to or greater than the required screen plantings in that district. For example, a nightclub abutting a single-family residential use or zoning shall be required to provide a Type D buffer width (30 feet) with Type D screen plantings.

Table 200-2
Table of Permitted Uses (Amended 8-6-2015)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Interior Cleaning Services	2										P		P	P			
Junkyards	3													S	S		Section 626
Kennel	2	P									P			P	P		Note 21
Landfills - Clean Material	3													P	P		Note 37
Landfills - Sanitary	3													S	S		Note 36; Section 627
Limited Duration Circus, Carnival, Fair, Concerts											P	P	P	P	P		Section 327A
Liquor Store	2									P	P	P	P				
Lumber & Building Material Sales	2										P			P	P		Note 22

P - Permitted as Principal Use in District
S - Permitted by Special Use Permit
A - Permitted as Accessory Use Only

Notes to Table 200-2: Supplemental Requirements

<u>Note #</u>	<u>Note</u>
29	Rental of domestic vehicles may be an accessory use to an established airport/heliport and similar transportation facilities.
30	Accessory use to Planned Unit Developments.
31	This use is to be included in the definition of Day care facilities and regulated as such.
32	Schools that meet the compulsory educational requirements of the State of North Carolina. Temporary modular classrooms may be located at an existing public, private, or charter school located in the B2 and B3 districts for a period of 18 months from the date of the temporary classroom's certificate of occupancy issuance. Temporary modular classrooms shall not be subject to any Design regulations. Modular classrooms placed on property for longer than 18 months shall be subject to Design regulations (Amended 4-4-2013).
33	Accessory structures shall be permitted in all districts subject to the Floor Area Ratio restrictions in that Districts where FAR applies. In no instance shall the FAR of all permitted structures exceed the maximum permitted for that lot. All accessory structures shall be located in accordance with the setback regulations applicable to the lot on which said structure is located. Accessory structures shall be limited to 25 feet in height except television and radio receiving and transmitting antenna which shall be permitted to exceed this limit. No such antenna shall be permitted to exceed seventy five (75) feet in height in any residential district or one hundred (100) in any other district. Exception: Portable accessory structures may be located no closer than 5 feet to any rear lot line or no closer than 5 feet to side lot line located to the rear of the principal structure. Portable accessory structures when any portion is located outside the allowable buildable area of the lot, shall meet all the following criteria: A. The structure shall be of the portable type, used exclusively for storage, and no mechanical equipment such as, but not limited to heating, air conditioning, ventilating, or similar equipment, power tools and similar mechanical installations, shall be operated within or attached thereto. B. There shall be only one portable storage structure per zoning lot. Such structure may have a horizontal dimension not exceeding twelve feet and shall have no other dimension exceeding eight feet. C. The structure shall be properly anchored. D. "Portable" shall mean without a permanent foundation and capable of being moved intact.
34	Temporary building shall be removed within 15 days of issuance of the Certificate of Occupancy to which the temporary building was an accessory during the construction.
35	Regulated as per Asheboro City Code.
36	Publicly owned land being utilized for sanitary landfills or intended for such use prior to (the date of adoption of this amendment) shall not be required to obtain a Special Use Permit nor be considered a nonconforming use. Any land purchased after (date) shall meet the requirements of this Ordinance.
37	Publicly owned land being utilized for clean material landfills or intended for such use prior to (the date of adoption of this amendment) shall not be required to obtain a Special Use Permit nor be considered a nonconforming use. Any land purchased after (date) shall meet the requirements of this Ordinance.
38	The use, Therapeutic Health Massagists, is defined as per <i>Title XI, Section 116</i> of the Asheboro City Code. Additional regulations for said use are contained in Article IV. In the TH District, Therapeutic Health Massagist is a permitted accessory use as an amenity to a resort/hotel use.
39	Places of Assembly shall only be located on a major thoroughfare as shown on the current Asheboro Thoroughfare Plan. Vehicular ingress and egress shall be permitted only from the major thoroughfare.
40	Amended 8-6-2015: All Recreation & Amusement Services, Commercial, shall only be located along a minor thoroughfare or higher classification street as shown on the current Asheboro Comprehensive Transportation Plan.

Table 200-2
Table of Permitted Uses (Amended 8-6-2015)

Use	Buffer/ Screen	R40	R15	R10	R75	RA6	OA6	O&I	B1	M	B2	TH	B3	I1	I2	I3	Supp. Reg.
Shelter, Emergency		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 324A
Sign Painting	2										P			P	P		
Signs, Off premise Billboard & Poster Panel, etc.														S	S	S	Section 635
Sludge Application		P	P	P	P	P	A	A	A	A	A			P	P	P	
Solar Farm	*	S												P	P	P	Section 328A; 652
Stable Commercial	2	S									P						
Structure, Accessory		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Note 33; Section 303
Taxi Stand	1										P	P	P	P	P	P	

P - Permitted as Principal Use in District
S - Permitted by Special Use Permit
A - Permitted as Accessory Use Only

Water Resources Division
146 N Church Street
PO Box 1106
Asheboro, NC 27204-1106



Tel: 336-626-1201 Ext. 258

Fax: 336-626-1218

BID SUMMARY
CHEMICALS BIDS FOR THE CITY OF ASHEBORO
WATER/WASTEWATER TREATMENT PLANTS
MARCH 26, 2019

The City of Asheboro received fifteen (15) bid packages listed on the attached Bid Tabulation Sheet at 2:00 PM, March 12, 2019. These bids are for seven (7) chemicals needed for operations at the Water/Wastewater Treatment Plants. These bids included furnishing chemicals to the plants for the time period from April 16, 2019 to April 15, 2020.

Bids for Fluosilicic Acid and Sodium Hypochlorite were solicited via advertising in accordance with City practice but the total purchasing amount for these chemicals is under the formal bidding threshold.

It is recommended that the contracts to purchase chemicals from April 16, 2019 to April 15, 2020 be awarded to the responsive low bidders as listed below:

<u>Chemical</u>	<u>Company</u>	<u>Price</u>
Liquid Alum	C & S Chemicals	\$286.00/Ton
Liquid Caustic	Brenntag Mid-South	\$553.00/Ton
Fluosilicic Acid	Pennco, Inc	\$323.75/Ton
Sodium Hypochlorite	JCI Jones Chemicals	\$0.66/Gal
Calcium Nitrate	Lime-Chem	\$1.95/Gal
Sodium Permanganate	Shannon Chemical Corp	\$8.34Gal
Magnesium Hydroxide	Polytec, Inc	\$1.88/Gal

By: Michael D Rhoney
Michael D. Rhoney, P.E.
Water Resources Director

CITY OF ASHEBORO CHEMICAL BID TABULATION MARCH 12, 2019

Company Name	Liquid Alum	Liquid Caustic	Floussilic Acid	Sodium Hypochlorite 12%	Calcium Nitrate	Sodium Permanganate	Magnesium Hydroxide	ADD # 1
Amerochem Corporation NSF CERT (x)	No Bid	No Bid	No Bid	No Bid	No Bid	\$8.39	No Bid	Yes
Brenntag Mid-South NSF CERT (x)	No Bid	\$553.00	No Bid	\$0.81	No Bid	No Bid	No Bid	Yes
C & S Chemicals NSF CERT (x)	\$286.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	Yes
Chemrite, Inc. NSF CERT (x)	No Bid	No Bid	No Bid	No Bid	No Bid	\$9.37	No Bid	Yes
Chemtrade Chemicals US LLC NSF CERT (x)	\$309.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	Yes
Evoqua Water Technologies NSF CERT (x)	No Bid	No Bid	No Bid	No Bid	\$2.439	No Bid	No Bid	Yes
GEO Specialty Chemicals NSF CERT (x)	\$415.14	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	Yes
JCI Jones Chemicals NSF CERT (x)	No Bid	\$583.00	No Bid	\$0.66	No Bid	No Bid	No Bid	Yes
Lime-Chem, Inc. NSF CERT (x)	No Bid	No Bid	No Bid	No Bid	\$1.95	No Bid	No Bid	Yes
Oltrin Solutions LLC NSF CERT (x)	No Bid	\$570.00	No Bid	No Bid	No Bid	No Bid	No Bid	Yes
Pencoco, Inc NSF CERT (x)	No Bid	No Bid	\$323.75	No Bid	No Bid	No Bid	No Bid	Yes
Polytec, Inc NSF CERT (x)	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$1.88	Yes
Shannon Chemical NSF CERT (x)	No Bid	No Bid	\$717.17	No Bid	No Bid	\$8.34	No Bid	Yes
United Mineral & Chemical NSF CERT (x)	No Bid	No Bid	No Bid	No Bid	No Bid	\$10.48	No Bid	Yes
Univar, USA, Inc NSF CERT (x)	\$293.00	\$593.00	\$329.00	\$0.67	No Bid	No Bid	\$2.98	No
MINIMUM BID	\$286.00	\$553.00	\$323.75	\$0.6600	\$1.95	\$8.34	\$1.88	
MAXIMUM BID	\$415.14	\$593.00	\$717.17	\$0.8100	\$2.44	\$10.48	\$2.98	

ORDINANCE NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**AN ORDINANCE AMENDING ARTICLE I IN THE
CULTURAL AND RECREATION SERVICES POLICY MANUAL**

WHEREAS, the City of Asheboro Cultural and Recreation Services Policy Manual contains the rules and regulations applicable to the city's cultural and recreational facilities; and

WHEREAS, Section 98.01 (Adoption by Reference) of the Code of Asheboro provides that the City of Asheboro Cultural and Recreation Services Policy Manual (the "Manual") has been adopted by the Asheboro City Council by reference and made a part of the Code of Asheboro; and

WHEREAS, within the Manual, Article I contains the regulatory provisions applicable to the Rec Card used by the city's cultural and recreation services system; and

WHEREAS, the recreation services director and the city manager have recommended updates to the Rec Card that are highlighted in an exhibit attached to this Ordinance as EXHIBIT 1, which is hereby incorporated into this Ordinance by reference as if copied fully herein; and

WHEREAS, the Asheboro City Council concurs with the recommended updates to Article I.

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

Section 1. Article I of the City of Asheboro Cultural and Recreation Services Policy Manual is hereby rewritten to provide as specified in EXHIBIT 1. All articles, sections, and provisions of the Manual that are not expressly modified by the contents of EXHIBIT 1 shall continue in full force and effect without alteration.

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

Section 3. This Ordinance shall be in full force and effect upon and after April 4, 2019.

EXHIBIT 1

ARTICLE I. REC CARD

SECTION 1.1 QUALIFICATIONS

1. ~~The Rec Card is for all Residents who live within the City Limits. The card entitles holders to City Resident rates at the Municipal Golf Course, Lake Lucas, Lake Reese, Memorial Pool, North Asheboro Park Pool and various Recreation Programs.~~
2. ~~Rec Cards are available at the Cultural and Recreation Services office during regular business hours.~~
3. ~~In order to qualify for a Rec Card, you must:~~
 - a. ~~Currently live in the City Limits.~~
 - b. ~~Present a valid Government Issued ID with current Address.~~
 - c. ~~Present a current (within the month) bill with your street address.~~
4. ~~Children age 15 and younger must be accompanied by their parents with the above information plus the following:~~
 - a. ~~Government Issued Picture ID or:~~
 - b. ~~Birth Certificate or~~
 - c. ~~School ID.~~
5. ~~Rec Cards are valid for 1 year.~~
6. ~~City Residents who choose not to obtain a Rec Card will be charged the non-resident rate at all Cultural and Recreation Services facilities.~~
7. ~~The Rec Card must be presented each time to receive the City Resident Rate.~~
8. ~~The Rec Card is Free of charge. A replacement fee of \$5.00 will be charged if the card is misplaced.~~

SECTION 1.2 SENIOR'S REC CARD QUALIFICATIONS

1. ~~To qualify, The Senior must:~~
 - a. ~~Reside in the City Limits.~~
 - b. ~~Be at least 62 years of age.~~

e. ~~Present information prescribed in the Rec Card Section.~~

- ~~2. The Senior Rec Cards are valid for 1 year periods. At the end of the period, you will need to come back to the Recreation Services Department to reverify that you are still a resident of the city.~~
- ~~3. City Residents who choose not to get a Senior's Rec Card will be charged the non-resident rate at all Cultural and Recreation Services facilities.~~
- ~~4. The Senior's Rec Card must be presented each time to receive the City Resident Rate.~~
- ~~5. The Senior's Rec Card is Free of charge. A replacement fee of \$5.00 will be charged if card is misplaced.~~

SECTION 1.1 **QUALIFICATIONS**

- (A) The Rec Card is for all residents who live within the city limits. This card entitles holders to city resident rates at the municipal golf course, Lake Lucas, Lake Reese, Memorial Pool, North Asheboro Park Pool, and various recreation programs.
- (B) Rec Cards are available at the cultural and recreation services office during regular business hours.
- (C) In order to qualify for a Rec Card, the adult applying for the card must currently live within Asheboro's city limits, and such an individual must present a valid government-issued picture ID to verify the individual's current status as a city resident. If the address on the government-issued picture ID is not the applicant's current street address, residency can be proven with one of the following:
- (1) A current (within the month) bill with the applicant's street address; or
 - (2) A current (within the month) bank statement with the applicant's street address.
- (D) A child age 15 and younger for whom a Rec Card is sought must be accompanied by a parent/guardian with a verifiable parental/guardian relationship to the child. In addition to the parent/guardian providing the information specified above in Section 1.1(C), one of the following forms of identification must be provided for the child:
- (1) A government-issued picture ID;
 - (2) A birth certificate; or
 - (3) A school ID.
- (E) Rec Cards are valid for two years. At the end of the 2-year period, a card holder may renew his or her Rec Card. In order to renew the card for another 2-year period, the renewal applicant must comply with the above-stated procedures in order to verify the applicant's continuing status as a city resident.

- (F) City residents who choose not to obtain a Rec Card will be charged the non-resident rate at all of the city's cultural and recreation services facilities.
- (G) The Rec Card must be presented each time to receive the city resident rate.
- (H) The Rec Card is free of charge. A replacement fee of \$5.00 will be charged if the card is misplaced.
- (I) Notwithstanding any other provision in Section 1.1, a non-city resident may acquire a Rec Card with the payment of a biennial fee of \$50.00.

SECTION 1.2 SENIOR'S REC CARD QUALIFICATIONS

- (A) To qualify, the senior must:
 - (1) Reside within the city limits;
 - (2) Be at least 50 years of age; and
 - (3) Present the information prescribed by Section 1.1(C).
- (B) A Senior's Rec Card is valid for two years. At the end of the 2-year period, a card holder may renew his or her Senior's Rec Card. In order to renew the card for another 2-year period, the renewal applicant must comply with the above-stated procedures in order to verify the applicant's continuing status as a city resident.
- (C) City residents who choose not to get a Senior's Rec Card will be charged the non-resident rate at all cultural and recreation services facilities.
- (D) The Senior's Rec Card must be presented each time to receive the city resident rate.
- (E) The Senior's Rec Card is free of charge. A replacement fee of \$5.00 will be charged if card is misplaced.
- (F) Notwithstanding any other provision in Section 1.2, a non-city resident may acquire a Senior's Rec Card with the payment of a biennial fee of \$50.00.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 4th day of April, 2019.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**AN ORDINANCE PROVIDING FOR THE NORTH CAROLINA
AVIATION MUSEUM AND HALL OF FAME, INCORPORATED AN
EXEMPTION FROM SECTION 130.03 OF THE CODE OF ASHEBORO**

WHEREAS, Section 130.03 of the Code of Asheboro regulates the consumption and possession of alcoholic beverages in certain locations, specifically including the city-owned real property at the Asheboro Regional Airport; and

WHEREAS, the North Carolina Aviation Museum and Hall of Fame, Incorporated, a North Carolina nonprofit corporation, (the “Aviation Museum”) is a tenant at the Asheboro Regional Airport; and

WHEREAS, in order to support its operations, the Aviation Museum conducts special fund raising events on the nonprofit corporation’s leased premises at the Asheboro Regional Airport; and

WHEREAS, the Aviation Museum would like to have the option to include, in compliance with the proper permit from the North Carolina Alcoholic Beverage Control Commission, the sale of malt beverages and wine as part of these special events; and

WHEREAS, the Asheboro City Council has decided to amend the Code of Asheboro to make certain technical corrections in Section 130.03 and to provide the Aviation Museum with an opportunity to host the above-described special events at the nonprofit corporation’s facilities.

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

Section 1. Section 130.03 (Consumption and Possession of Alcoholic Beverages in Certain Locations) of the Code of Asheboro is hereby rewritten to provide as follows:

- (A) *Consumption of malt beverages and unfortified wine.* It shall be unlawful for any person who is not an occupant of a motor vehicle to consume a malt beverage or unfortified wine on any public street, sidewalk, or alley in the city; or on any other property owned, occupied, or controlled by the city.

- (B) *Possession of open containers of malt beverages and unfortified wine.* It shall be unlawful for any person who is not an occupant of a motor vehicle to possess open container(s) of malt beverages and unfortified wines on any public street, sidewalk, or alley in the city; or on any other property owned, occupied, or controlled by the city. For the purposes of this section, an **OPEN CONTAINER** means a container whose seal has been broken or a container other than the manufacturer's unopened original container.
- (C) *Possession of malt beverages and unfortified wines on public streets, alleys, or parking lots which are temporarily closed to regular traffic for special events.* It shall be unlawful for any person to possess any malt beverage or unfortified wine on any public street, alley, or parking lot which has been temporarily closed to regular traffic for a special event.
- (D) *Possession and consumption of fortified wine, spirituous liquor, and mixed beverages.* The possession or consumption of fortified wine, spirituous liquor, or mixed beverages is hereby prohibited on property owned or leased by the city.
- (E) *Exceptions.* Notwithstanding the prohibitions prescribed by the above-listed divisions of this section, the following acts shall not be deemed to be unlawful.
- (1) The possession or consumption of alcoholic beverages by either a sworn law enforcement officer acting in the performance of his or her official duties or a person acting under the immediate and direct supervision of a sworn law enforcement officer discharging his or her official duties.
 - (2) The possession or consumption of malt beverages at McCrary Park as part of collegiate or professional baseball events hosted by legal entities with whom the City of Asheboro has entered into a lease agreement for the use of McCrary Park; provided, however, any such malt beverages found within McCrary Park must have been obtained in accordance with a sale/distribution plan developed and implemented by the hosting of legal entity in compliance with all applicable laws and administrative regulations.

- (3) The possession or consumption of unfortified wine and malt beverages on the premises of the Sunset Theatre and Bicentennial Park facilities, including without limitation the Rotary Pavilion. The possession or consumption of unfortified wine and malt beverages on these premises will be lawful only if such possession or consumption is conducted in strict compliance with all applicable laws, ordinances, and regulations, specifically including without limitation the regulations adopted for the facilities by the city for these facilities that are part of the municipal cultural and recreation services system, inclusive of any and all sale/distribution plans developed and implemented under the regulations found in specified by the City of Asheboro Cultural and Recreation Services Policy Manual.
- (4) The possession of unfortified wine on the premises of the Downtown Farmers' Market facility. The possession of unfortified wine on these premises will be lawful only if such possession occurs as part of the retail sale by an approved Downtown Farmers' Market vendor of unfortified wine for off-premise consumption. The retail sale of unfortified wine shall be conducted in strict compliance with all applicable laws, ordinances, and regulations, specifically including without limitation the regulations prescribed for the Downtown Farmers' Market in the City of Asheboro Cultural and Recreation Services Policy Manual.
- (5) The possession or consumption of unfortified wine and malt beverages on the premises leased to the nonprofit North Carolina Aviation Museum and Hall of Fame, Incorporated (these premises are shown as Hangar G and Hangar L on Schedule C of the Asheboro Regional Airport) during events conducted by the nonprofit corporation. The sale or service of wine and malt beverages must be conducted in strict compliance with all applicable laws, ordinances, and regulations, specifically including without limitation any laws and regulations pertaining to either alcoholic beverage control or the operation of the airport by the Asheboro Airport Authority.

- (F) *Penalties.* Any person who violates the prohibitions prescribed by divisions (A), (B), and (C) above shall be guilty of a misdemeanor in accordance with G.S. § 14-4.

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

Section 3. This Ordinance shall be in full force and effect on and after April 4, 2019.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 4th day of April, 2019.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**AN ORDINANCE AMENDING ARTICLE XIV IN THE
CULTURAL AND RECREATION SERVICES POLICY MANUAL**

WHEREAS, the City of Asheboro Cultural and Recreation Services Policy Manual contains the rules and regulations applicable to the city's cultural and recreational facilities; and

WHEREAS, Section 98.01 (Adoption by Reference) of the Code of Asheboro provides that the City of Asheboro Cultural and Recreation Services Policy Manual (the "Manual") has been adopted by the Asheboro City Council by reference and made a part of the Code of Asheboro; and

WHEREAS, within the Manual, Article XIV contains the regulatory provisions applicable to the Sunset Theatre, which is administered as part of the city's cultural and recreation services system; and

WHEREAS, due to the interest expressed by some nonprofit groups in pursuing the option of using the Sunset Theatre as a venue for events that include the sale of wine and beer, the recreation services director and the city manager have recommended updates to Article XIV; and

WHEREAS, these updates are specified in the attached EXHIBIT 1, which is hereby incorporated into this Ordinance by reference as if copied fully herein; and

WHEREAS, the Asheboro City Council concurs with the recommended updates to Article XIV.

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

Section 1. Article XIV of the City of Asheboro Cultural and Recreation Services Policy Manual is hereby rewritten to provide as specified in EXHIBIT 1. All articles, sections, and provisions of the Manual that are not expressly modified by the contents of EXHIBIT 1 shall continue in full force and effect without alteration.

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

Section 3. This Ordinance shall be in full force and effect upon and after July 1, 2019.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 4th day of April, 2019.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

EXHIBIT 1

ARTICLE XIV. SUNSET THEATRE

~~SECTION 14.1 APPLICATION~~

~~The City of Asheboro Cultural Services Department is responsible for administering the Sunset Theatre facility in a manner that will provide the citizens of Asheboro with an opportunity for a high quality experience. Under the general supervision of the Recreation Services Superintendent, designated city employees within the Cultural Services Department (hereinafter collectively referred to as the "Staff") will operate the facility in the best interest of the City of Asheboro.~~

~~Subject to the regulations prescribed herein, this facility may be rented to individuals or other types of legal entities for events or activities that are consistent with the mission of the Cultural Services Department. The decision as to whether to rent the facility on any specific occasion is within the ultimate discretion of the Recreation Services Superintendent as he or she evaluates the needs and priorities of the department. In order to request the use of this facility, an applicant shall accurately complete in its entirety the application form prescribed by and available from the Cultural Services Department.~~

~~SECTION 14.2 RULES & REGULATIONS~~

- ~~1. Unless authorization to the contrary is listed on the prescribed application form as part of the written approval of an event by the Cultural Services Department, alcoholic beverages are prohibited in the facility. In those cases where the Recreation Services Superintendent has authorized the sale, possession, and/or consumption of unfortified wines and/or malt beverages on the premises in connection with and for the duration of the approved event, such sale, possession, and/or consumption of the listed beverages must be conducted in strict compliance with Section 14.3 of this manual, any conditions attached by the Recreation Services~~

~~Superintendent to the event approval, and all applicable laws, ordinances, and regulations. No alcoholic beverages other than unfortified wines and malt beverages are permitted on the premises of the facility at any time.~~

- ~~2. Smoking and tobacco products are prohibited in the facility.~~
- ~~3. A \$100.00 security deposit must be paid at the time of reservation to secure a date. The fee shall be submitted to the Cultural Services Department. Multiple dates will require multiple deposits.~~
- ~~4. The Recreation Services Superintendent reserves the right to co-sponsor an event.~~
- ~~5. Violation of this agreement shall result in forfeiture of security deposit fees.~~
- ~~6. The user fees, as described in the Schedule of Deposits, Fees, and Charges Administered by the Cultural and Recreation Services Departments, must be paid at least 48 hours before the start of the event, or the event will be cancelled. In the event advance tickets have been sold, lessee is responsible for reimbursing ticket holders or to honor any advance tickets sold for a future event sponsored by the same lessee. Lessee is responsible for advertising the cancellation.~~
- ~~7. Failure to pay the rental fee will result in denied access to the facility.~~
- ~~8. The maximum daily rental period is one 8 hour period (unless otherwise noted in the Schedule of Deposits, Fees, and Charges Administered by the Cultural and Recreation Services Departments), which includes load in and load out. At the latest, closing time shall be Midnight, unless otherwise stated. Events that exceed their rental period shall result in loss of security deposit.~~
- ~~9. In the event the facility is being rented for an event open to the public, or if admission is being charged, the person/organization renting the facility, hereinafter known as "lessee," shall pay for and maintain, at all times during the individual or entity's use of the facility, Comprehensive and General Liability insurance coverage with primary limits of liability of no less than One Million Dollars (\$1,000,000.00) per occurrence for bodily injury and property damage for any events open to the public. Furthermore, the City will be furnished with a certificate of insurance in a form satisfactory to the City. The certificate of insurance must be in the possession of the City of Asheboro Cultural Services Department no later than 48 hours prior to the scheduled event. Failure to provide proof of insurance will result in the event being cancelled. Furthermore, the Applicant must agree to forever hold harmless and to fully indemnify the City and its personnel, agents, officials, and City Council, in both their official and individual capacities, from any and all judgments,~~

~~liens, claims, assessments, demands, attorney fees, actions, and causes of action of any sort arising out of any damage or injury sustained by any person or entity by reason of any negligent or willful act or omission of the Applicant or its officers, employees, agents or contractors in connection with the Applicant's use of the Sunset Theatre.~~

- ~~10. If the event is closed to the general public and no admission fee is charged, a liability waiver shall be required in lieu of liability insurance coverage.~~
- ~~11. The Lessee must designate a representative who will be responsible for all phases of the event and who will be on site the entire time the event is taking place.~~
- ~~12. The maximum number of tickets sold for any one event shall be determined by the total number of seats available and set up of the facility.~~
- ~~13. Assignment: Lessee may not assign this lease agreement or any right contained in this lease agreement or sublet the Sunset Theatre or any adjoining property owned by the City of Asheboro.~~
- ~~14. The Cultural and Recreation Services Division shall have by way of illustration and without limitation the right to deny the use of the facility if; 1) It deems such use may result in damage to the facility, 2) It deems such use is inconsistent with the policies of the division, 3) It deems such use may lead to illegal activity at the facility, 4) it deems such use may be detrimental to the character of the theatre as a multipurpose community facility.~~
- ~~15. A Cultural Services Department staff member will be in attendance to oversee and supervise all events held at the theatre. This staff member shall be equipped with a cell phone, first aid kit, be certified in First Aid & CPR, have the knowledge and ability to enforce facility rules & regulations, and knowledge of the electrical, HVAC, and lighting systems. This staff member shall have the authority to require anyone to leave the facility at any time for violation of the rules and regulations prescribed for the Sunset Theatre or for engagement in any other form of inappropriate conduct.~~
- ~~16. Lessee agrees to a "walk through" inspection prior to use of the facility. Any pre-existing, damaged, broken or malfunctioning equipment, or furnishings shall be noted. A second walk-through shall be made at the completion of the event, and any variance shall be noted and appropriate charges will be billed and due within 5 business days.~~
- ~~17. No rice or birdseed is to be thrown inside the building.~~
- ~~18. As appropriate, the lessee is responsible for procuring the services of properly trained security/law enforcement personnel.~~

- ~~19. The Asheboro Police Department and staff members in the Cultural and Recreation Services Departments shall have access to all areas of the facility at all times before, during, and after the event.~~
- ~~20. Lessee is responsible for cleaning the facility after the event. The facility must be restored to the condition it was in at the start of the lease period.~~
- ~~21. Failure to clean up as required shall result in loss of security deposit.~~
- ~~22. Cleaning supplies and trash can liners are available for use. Trash shall be disposed of in the appropriate location.~~
- ~~23. Items left after the rental period will result in loss of deposit and shall be deemed to be abandoned property subject to removal and disposition in the sole discretion of the City of Asheboro.~~
- ~~24. No decorations, posters, pictures, banners, or other such items shall be fastened to walls, windows, woodwork, doors, or curtains nor placed on stands in any area of the facility without approval.~~
- ~~25. No nails, tacks, staples, or screws of any kind may be applied to any part of the interior or exterior of the building.~~
- ~~26. Only approved tapes, such as blue painters tape and gaff tape may be applied to the stage floor. If an approved tape is applied to the stage floor it must be removed by the lessee immediately following the event.~~
- ~~27. No painting, wood cutting, or drilling shall be done on the stage or in the adjacent support areas.~~
- ~~28. All scenery elements are to be flame retardant. The use of open flame (candles, matches, lighters, etc.) is expressly prohibited.~~
- ~~29. At no time shall any of the lessee's scenery, stage furniture, props, costumes, or equipment block any exits, loading doors, storage rooms, sidewalks, or parking areas.~~
- ~~30. Any stage props that have power must meet current electrical codes and are subject to inspection and approval. If such props do not pass inspection, they are subject to immediate removal from the facility.~~
- ~~31. Lessee is encouraged to provide posters, banners, and promotional material for the "Coming Attractions" Display Board at the Theatre entrance. Any items to be displayed or distributed are subject to approval.~~
- ~~32. Lessee shall not change the location or use of the lobby displays, easels, or signs without prior approval.~~
- ~~33. The City of Asheboro Cultural Services Department reserves the right to sell any and all concessions during any event held at the facility.~~
- ~~34. Lessee warrants that all copyrighted material to be performed has been duly licensed or authorized by the copyright owners or their representatives and agrees to indemnify and hold the City of Asheboro harmless from any and all claims, losses, or expenses~~

~~incurred with regard thereto. Lessee shall pay all of the City of Asheboro's costs and expenses, including reasonable attorney's fees, incurred in defense of or as a result of any claims respecting copyrights and related matters.~~

- ~~35. Lessee shall be responsible for payment of any and all taxes, permits, fees (including without limitation fees associated with intellectual property licensing rights), and other charges arising out of or connected with the use of the premises by lessee, and lessee shall save the City of Asheboro harmless from any and all obligations with respect to such taxes, permits, fees, and other charges.~~
- ~~36. If lessee desires to sell any items in or near the facility, including but not limited to concessions items, videos, CDs, DVDs, tapes, clothing, periodicals, etc., lessee must obtain written permission at least 48 hours prior to the event. The Recreation Services Superintendent may refuse with or without cause such permission.~~
- ~~37. If lessee is granted permission to sell concessions, lessee agrees to pay the City of Asheboro a 10% commission on any sales of any concession items sold. A joint inventory will be taken prior to and after the event.~~
- ~~38. If Lessee is approved to sell their own concessions, they shall provide their own workers to sell merchandise, concessions, and supplies, including, food, candy, drinks, cups, napkins, condiments, popcorn supplies, bags, ice, etc. Chewing gum will not be allowed for sale.~~
- ~~39. If lessee is granted permission to hold a catered event (food beyond normal concession products) the food must be served and consumed in areas designated by Cultural and Recreation Services Division staff members.~~
- ~~40. Lessee is responsible for providing the following:
 - ~~a. A designated, responsible adult to operate the Theatre sound system, if needed.~~
 - ~~b. A designated, responsible adult to operate the Theatrical light system, if needed.~~
 - ~~c. Ushers for the event.~~
 - ~~d. Ticket sellers /takers for the event.~~
 - ~~e. Money box and petty cash as needed.~~~~
- ~~41. All persons/groups renting the facility are responsible for knowing the location of all fire extinguishers and exits. A location map shall be provided.~~
- ~~42. Prior to each performance/event, an announcement must be made stating the location of restrooms and emergency exits.~~

- ~~43. Only city staff members may adjust thermostats.~~
- ~~44. The Recreation Services Superintendent reserves the right to cancel any event, at any time, based on rental agreement violations.~~
- ~~45. The following are available for an additional fee, please contact the City of Asheboro Cultural Services Department for additional information:~~
 - ~~a. Ticket Sellers/Takers (hourly charge).~~
 - ~~b. Ushers (hourly charge).~~
 - ~~c. Ticket design service (\$75.00 for up to 390, 1 side printed tickets)~~
 - ~~d. One poster for display case (\$25.00 per poster)~~

~~SECTION 14.3 SALE, POSSESSION, AND CONSUMPTION OF MALT BEVERAGES AND UNFORTIFIED WINES~~

~~The possession and consumption of malt beverages and unfortified wines during the course of approved events is currently authorized and regulated in the sole discretion of the Recreation Services Superintendent by means of the Superintendent's attachment of conditions to the written approval of the event. Regulations authorizing the sale of malt beverages and unfortified wines on the premises of this facility are currently under review. Until final adoption of these regulations, the sales of malt beverages and unfortified wines on the premises of this facility are strictly prohibited.~~

SECTION 14.1 APPLICATION

The City of Asheboro Cultural Services Department (the "Department") is responsible for administering the Sunset Theatre facility in a manner that will provide the citizens of Asheboro with an opportunity for a high quality experience. Under the general supervision of the Recreation Services Director, designated city employees within the Department will operate the Sunset Theatre (the "Facility") in the best interest of the City of Asheboro (the "City").

Subject to the regulations prescribed herein, the Facility may be rented to individuals or other types of legal entities for events or activities that are consistent with the Department's mission. The decision as to whether to rent the Facility on any specific occasion is within the ultimate discretion of the Recreation Services Director (the "Director") as he or she evaluates the needs and priorities of the City. In order to use the Facility, an applicant must accurately complete in its entirety the rental form provided by the Department and receive written approval from the Director or the Director's designee.

SECTION 14.2 RULES AND REGULATIONS – EVENTS WITHOUT THE SALE OF UNFORTIFIED WINE AND/OR MALT BEVERAGES

(A) Unless authorization for the possession and consumption of unfortified wine and/or malt beverages is explicitly noted by the Director on the approved rental form, alcoholic beverages are prohibited in the Facility. When authorization for the possession and consumption of unfortified wine and/or malt beverages within the Facility is granted, such an authorization is subject to the following rules and regulations:

- (1) Unfortified wines and/or malt beverages are the only types of alcoholic beverages that the Director may allow in the Facility. All other types of alcoholic beverages are prohibited.
- (2) The sale of wine and/or malt beverages within the Facility is subject to the rules and regulations found in Section 14.3. The possession and consumption of unfortified wine and/or malt beverages within the Facility is subject to strict regulation by the Director.
- (3) The restrictions imposed by the City upon the possession and consumption of wine and/or malt beverages during an event held in the Facility will be specified in a distribution and consumption management plan attached to the approved rental agreement. The applicant requesting approval for the possession and consumption of wine and/or malt beverages must provide a proposed distribution and consumption management plan for review when the rental agreement is submitted to the Department.
- (4) In addition to complying with the approved distribution and consumption management plan, the renter and the renter's agents, contractors, and any other type of representatives must strictly comply with all applicable laws and rules, specifically including without limitation all statutes, ordinances, and regulations pertaining to alcoholic beverage control.

(B) Smoking and tobacco products are prohibited in the Facility.

(C) Sponsorship and fee related regulations:

- (1) The Director reserves the right to co-sponsor an event.
- (2) A \$100 security deposit must be paid at the time of reservation to secure an event date. The fee shall be submitted in the manner prescribed by the Department. Multiple dates will require multiple deposits.

- (3) Violation of the rental agreement will result in the forfeiture of the security deposit to the City.
- (4) If the user fees described in the Schedule of Deposits, Fees, and Charges Administered by the Cultural and Recreation Services Departments (the "Fee Schedule") are not paid at least 48 hours before the start of an event, the event will be cancelled.
- (5) If advance tickets have been sold for a canceled event, the renter is responsible for either reimbursing ticket holders or honoring at a future event sponsored by the same renter the advance tickets that have already been sold. The renter is responsible for advertising the cancellation.
- (6) Failure to pay the rental fee will result in the denial of access to the Facility.
- (7) Unless otherwise noted in the Fee Schedule, the maximum daily rental period is one 8-hour period, including load-in and load-out. Unless specific provisions to the contrary are noted in the approved rental agreement, the latest closing time is Midnight. If an event exceeds the approved rental period, the security deposit shall be forfeited to the City.

(D) Insurance and liability waivers:

- (1) When the Facility is rented for an event open to the public, or if a fee is charged for admission to the event, the renter shall pay for and maintain at all times during the individual or entity's use of the Facility comprehensive and general liability insurance coverage with primary limits of liability of no less than \$1,000,000 per occurrence for bodily injury and property damage. In order to prove the required insurance coverage is in effect, the renter shall furnish to the City a certificate of insurance in a form satisfactory to the City. The certificate of insurance must be in the Department's possession no later than 48 hours prior to the scheduled event. Failure to provide the required proof of insurance will result in the cancellation of the event. Furthermore, the applicant must agree to forever hold harmless and to fully indemnify the City and its personnel, agents, officials, and city council, in both their official and individual capacities, from any and all judgments, liens, claims, assessments, demands, attorney fees, actions, and causes of action of any sort arising out of any damage or injury sustained by any person or entity by reason of any negligent or willful act or omission by the applicant or its officers, employees, agents, or contractors in connection with the applicant's use of the Facility.

- (2) If the event is closed to the general public, and no admission fee is charged, a liability waiver shall be required in lieu of liability insurance coverage.
- (E) The assignment of a rental agreement pertaining to the Facility, or the assignment of any right found within a Facility rental agreement, is strictly prohibited. Furthermore, the subletting of the Facility is strictly prohibited.
- (F) Facility operational issues:
 - (1) The renter must designate with the Department a representative who will be responsible for all phases of the event and who will be on site the entire time the event is taking place.
 - (2) The maximum number of tickets sold for any one event shall be determined by the set-up of the Facility for the event and the total number of seats available under the chosen Facility set-up.
 - (3) By way of illustration and not limitation, the Department may deny to any potential renter the use of the Facility for the following reasons:
 - (a) The proposed event may result in damage to the Facility.
 - (b) The proposed event is inconsistent with the Department's policies and practices.
 - (c) The Director forms an articulable opinion that an event creates an environment conducive to the occurrence within the Facility of one or more identifiable unlawful activities.
 - (d) The proposed event has the articulable and realistic potential to be detrimental to the character of the theatre as a multi-purpose community facility.
 - (4) A City employee will be in attendance as the Department's representative to oversee and supervise all events held at the Facility. Such a staff member will be certified in first aid and cardio pulmonary resuscitation, will have the knowledge and ability to enforce the Facility's rules & regulations, and will have knowledge of the Facility's electrical, HVAC, and lighting systems. The Department's representative at the event has the authority to require anyone to leave the Facility at any time for violation of the Facility's rules and regulations and for engagement in any other form of unlawful or otherwise improper conduct.

- (5) Prior to using the Facility, either the renter or an authorized representative of the renter must participate in a walk-through inspection of the Facility. Any damaged, broken, or malfunctioning equipment or furnishings present in the Facility shall be recorded at this time. A second walk-through shall be made at the completion of the event, and any variance in the condition of the Facility and its contents between the times of the respective walk-throughs shall be recorded. The renter will be billed for the recorded damages. Payment of this bill for damages is due within five business days of the date of the invoice.
- (6) No rice or birdseed is to be thrown inside the Facility.
- (7) If generally accepted best practices for a venue such as the Sunset Theatre indicate that on-site security should be deployed for a proposed event, the renter is responsible for procuring and paying for the services of properly trained security/off-duty law enforcement personnel.
- (8) Department staff members, in addition to the Asheboro Police Department, shall have access to all areas of the Facility at all times before, during, and after the event.
- (9) The renter is responsible for cleaning the Facility after the event concludes. Before vacating the Facility's premises, the renter must ensure that the Facility is restored, with the exception of ordinary wear and tear, to the condition in which the Facility was found at the time of the pre-event walkthrough previously referenced in these rules and regulations.
- (10) If the renter fails to clean-up the facility as required by the rental agreement and these rules and regulations, the renter's security deposit will be forfeited to the City.
- (11) Cleaning supplies and trash can liners are available for use. Trash shall be deposited in the designated locations.
- (12) Items left in the Facility for disposition and/or disposal by the City will result in the forfeiture of the renter's security deposit to the City. Furthermore, any such items found in the Facility after the termination of the rental agreement will be deemed to be abandoned property that is subject to removal and disposition in the sole discretion of the City.
- (13) In the absence of explicit approval from Department personnel, no decorations, posters, pictures, banners, or other such items shall be fastened to the Facility's walls, windows, woodwork, doors, or curtains.

- (14) In the absence of explicit approval from Department personnel, no decorations, posters, pictures, banners, or other such items may be placed on stands in any area of the Facility.
 - (15) No nails, tacks, staples, or screws of any kind may be applied to any part of the interior or exterior of the Facility.
 - (16) Only approved tapes, such as blue painter's tape and gaff tape, may be applied to the stage floor. If an approved tape is applied to the stage floor, the tape must be completely removed by the renter prior to the termination of the rental agreement.
 - (17) No painting, wood cutting, or drilling shall be done on the stage or in the adjacent support areas.
 - (18) All scenery elements are to be flame retardant. The use of open flame (candles, matches, lighters, etc.) is expressly prohibited.
 - (19) No scenery, stage furniture, props, costumes, equipment, or other types of items may block any exits, loading doors, storage rooms, sidewalks, or parking areas at any time.
 - (20) Any stage props that have power must meet current electrical codes. Such props are subject to inspection and approval. Any props that do not pass inspection are subject to immediate removal from the Facility.
 - (21) The renter is encouraged to provide posters, banners, and promotional material for the "Coming Attractions" display board at the theatre's entrance. Any items to be displayed on the "Coming Attractions" board are subject to approval by the Department.
 - (22) The renter shall not change the location or use of the lobby displays, easels, or signs without prior approval.
- (G) The renter shall ensure, and does warrant by executing the rental agreement, that all copyrighted material to be performed within the Facility has been duly licensed or consent has been obtained from the copyright owners or their representatives. Furthermore, the renter agrees to indemnify and hold the City harmless from any and all claims, losses, or expenses incurred as a result of intellectual property law compliance issues. By way of illustration and not limitation, the renter shall pay all of the City's costs and expenses, including reasonable attorney's fees, incurred in defense of or as a result of any claims respecting copyrights, trademarks, and related intellectual property matters.

- (H) The renter shall be responsible for the payment of any and all taxes, permits, fees (including without limitation fees associated with intellectual property licensing rights), and other charges arising out of or connected with the renter's use of the Facility. Furthermore, the renter shall, and does agree by executing the rental agreement, to save and hold the City harmless from any and all obligations with respect to such taxes, permits, fees, and other charges.
- (I) Concessions:
- (1) The Department reserves the right to sell any and all concessions during events held at the Facility.
 - (2) If the renter desires to sell in the Facility or on its associated premises any concession items, including without limitation CDs, DVDs, clothing, periodicals, etc., the renter must obtain written permission from the Director at least 48 hours prior to the event. The Director may refuse, with or without cause, to grant such permission.
 - (3) If permission is granted by the Department for the renter to sell concessions, the renter must pay to the City a 10% commission on any and all concession items sold. A joint inventory will be taken prior to and after the event.
 - (4) If permission is granted for the renter to sell its own concessions, the renter shall provide its own workers to sell merchandise, concessions, and supplies, including food, candy, drinks, cups, napkins, condiments, popcorn supplies, bags, ice, etc. Chewing gum is not allowed for sale.
- (J) If permission is granted by the Department for the renter to hold a catered event (food beyond normal concession products), the food must be served and consumed in areas designated by the Department.
- (K) The renter is responsible for providing the following at the renter's own expense:
- (1) If the Facility's sound system is needed for an event, a responsible adult must be designated to operate the sound system.
 - (2) If the Facility's light system is needed for an event, a responsible adult must be designated to operate the light system.
 - (3) If needed, ushers for the event.

- (4) If needed, ticket sellers /takers for the event.
 - (5) As needed, a money box and petty cash.
- (L) Fire extinguishers and exits:
 - (1) All renters and any persons/groups acting for or on behalf of a renter are responsible for knowing the location of all fire extinguishers and exits. A location map will be provided by the Department.
 - (2) Prior to each event or each performance, the renter or an individual acting on behalf of the renter must make an announcement stating the location of restrooms and emergency exits.
- (M) Only City employees may adjust the Facility's thermostats.
- (N) The City reserves the right to cancel any event, at any time, on the basis of rental agreement violations.
- (O) For an additional fee, the following items/services are available from the Department:
 - (1) Ticket Sellers/Takers (hourly charge)
 - (2) Ushers (hourly charge)
 - (3) Ticket Design Service (\$75.00 for up to 390, tickets printed on one side)
 - (4) One Poster for Display Case (\$25.00 per poster)

SECTION 14.3 RULES AND REGULATIONS – EVENTS WITH THE SALE OF UNFORTIFIED WINE AND/OR MALT BEVERAGES

- (A) Unless authorization for the sale, possession, and consumption of unfortified wine and/or malt beverages is explicitly noted by the Director on the approved rental form, alcoholic beverages are prohibited in the Facility. When authorization for the sale, possession, and consumption of unfortified wine and/or malt beverages within the Facility is granted, such an authorization is subject to the following rules and regulations:
 - (1) Unfortified wines and/or malt beverages are the only types of alcoholic beverages that may be sold, possessed, and consumed in the Facility. All other types of alcoholic beverages are prohibited.

(2) The sale of wine and/or malt beverages within the Facility can occur under the following conditions:

- (a) The renter responsible for the sale of wine and/or malt beverages must be a nonprofit organization that has obtained a Special One-Time permit from the North Carolina Alcoholic Beverage Control Commission. No other type of renter is eligible to hold an event that includes the sale of wine and/or malt beverages in the Facility.
- (b) The approved Special One-Time permit from the North Carolina Alcoholic Beverage Control Commission shall also function as the sale plan referenced by Section 130.03(E)(3) in the Code of Asheboro.
- (c) The renter must agree to rent the Facility as the sole and exclusive renter of the premises for the duration of the one-day or multi-day event listed on the Department-approved rental form for events involving the sale of wine and/or malt beverages. Subject to inspections by City staff and officers of the Asheboro Police Department to ensure compliance with the terms of the rental agreement and compliance with all applicable laws and regulations, the nonprofit organization as the approved renter will be exclusively in charge of and responsible for the event throughout the term of the approved rental agreement.
- (d) Utilizing a diagram available from the City showing the Facility premises, specifically including all entrances and exits, the renter must identify where the sale and/or consumption of beverages will take place.
- (e) The renter must assume full responsibility for all operational aspects of the event, specifically including without limitation staffing and supplies for any and all concession operations conducted during the event. City-owned concession equipment and personnel will be unavailable during the event.
- (f) Strict compliance with all applicable laws and rules, specifically including without limitation all statutes, ordinances, and regulations pertaining to alcoholic beverage control, is required.

(B) Smoking and tobacco products are prohibited in the Facility.

(C) Fee related regulations:

- (1) The security deposit listed in the Fee Schedule for this type of event must be paid at the time the rental agreement is submitted for approval. The fee shall be submitted in the manner prescribed by the Department.
- (2) Violation of the rental agreement will result in the forfeiture of the security deposit to the City.
- (3) If the rental fee listed in the Fee Schedule is not paid at least 48 hours before the start of an event, the event will be cancelled. If advance tickets have been sold for a canceled event, the renter is responsible for either reimbursing ticket holders or honoring at a future event sponsored by the same renter the advance tickets that have already been sold. The renter is responsible for advertising the cancellation.
- (4) Failure to pay the rental fee will result in the denial of access to the Facility.
- (5) Unless specific provisions to the contrary are noted in the approved rental agreement, the latest closing time is Midnight. If an event exceeds the approved rental period, the security deposit shall be forfeited to the City.

(D) Insurance and hold harmless provisions:

- (1) The renter shall pay for and maintain, at all times during the nonprofit organization's use of the Facility, comprehensive and general liability insurance coverage with primary limits of liability of no less than \$1,000,000 per occurrence for bodily injury and property damage. Furthermore, the renter shall furnish to the City a certificate of insurance in a form satisfactory to the City. The certificate of insurance must be in the Department's possession no later than 48 hours prior to the scheduled event. Failure to provide the required proof of insurance will result in the cancellation of the event.
- (2) The renter must agree to forever hold harmless and to fully indemnify the City and its personnel, agents, officials, and city council, in both their official and individual capacities, from any and all judgments, liens, claims, assessments, demands, attorney fees, actions, and causes of action of any sort arising out of any damage or injury sustained by any person or entity by reason of any negligent or willful act or omission by the renter or its officers, employees, agents, or contractors in connection with the renter's use of the Facility.

(E) The assignment of a rental agreement pertaining to the Facility, or the assignment of any right found within a Facility rental agreement, is strictly prohibited. Furthermore, the subletting of the Facility is strictly prohibited.

(F) Facility operational issues:

(1) The renter must designate with the Department a representative who will be responsible for all phases of the event and who will be on site the entire time the event is taking place.

(2) The maximum number of tickets sold for any one event shall be determined by the set-up of the Facility for the event and the total number of seats available under the chosen Facility set-up.

(3) By way of illustration and not limitation, the Department may deny to any potential renter the use of the Facility for the following reasons:

(a) The proposed event may result in damage to the Facility.

(b) The proposed event is inconsistent with the Department's policies and practices.

(c) The Director forms an articulable opinion that an event creates an environment conducive to the occurrence within the Facility of one or more identifiable unlawful activities.

(d) The proposed event has the articulable and realistic potential to be detrimental to the character of the theatre as a multi-purpose community facility.

(4) At least 48 hours prior to the commencement of an event, the renter's designated representative must meet with a City employee who will provide to the renter's representative operational instruction pertaining to the Facility's electrical, HVAC, and lighting systems.

(5) Prior to using the Facility, an authorized representative of the renter must participate in a walk-through inspection of the Facility. Any damaged, broken, or malfunctioning equipment or furnishings present in the Facility shall be recorded at this time. A second walk-through shall be made at the completion of the event, and any variance in the condition of the Facility and its contents between the times of the respective walk-throughs shall be recorded. The renter will be billed for the recorded damages. Payment of this bill for damages is due within five business days of the date of the invoice.

- (6) If generally accepted best practices for a venue such as the Sunset Theatre indicate that on-site security should be deployed for a proposed event, the renter is responsible for procuring and paying for the services of properly trained security/off-duty law enforcement personnel.
- (7) No rice or birdseed is to be thrown inside the Facility.
- (8) No chewing gum is to be offered for sale.
- (9) The renter is responsible for maintaining the cleanliness and sanitary conditions of the Facility during the event. Before vacating the Facility's premises, the renter must ensure that the Facility is restored, with the exception of ordinary wear and tear, to the condition in which the Facility was found at the time of the pre-event walkthrough previously referenced in these rules and regulations.
- (10) If the renter fails to clean-up the facility as required by the rental agreement and these rules and regulations, the renter's security deposit will be forfeited to the City.
- (11) Cleaning supplies and trash can liners are available for use. Trash shall be deposited in the designated locations.
- (12) Items left in the Facility for disposition and/or disposal by the City will result in the forfeiture of the renter's security deposit to the City. Furthermore, any such items found in the Facility after the termination of the rental agreement shall be deemed to be abandoned property that is subject to removal and disposition in the sole discretion of the City.
- (13) In the absence of explicit approval from Department personnel, no decorations, posters, pictures, banners, or other such items shall be fastened to the Facility's walls, windows, woodwork, doors, or curtains.
- (14) In the absence of explicit approval from Department personnel, no decorations, posters, pictures, banners, or other such items may be placed on stands in any area of the Facility.
- (15) No nails, tacks, staples, or screws of any kind may be applied to any part of the interior or exterior of the Facility.
- (16) Only approved tapes, such as blue painter's tape and gaff tape, may be applied to the stage floor. If an approved tape is applied to the stage floor, the tape must be completely removed by the renter prior to the termination of the rental agreement.

- (17) No painting, wood cutting, or drilling shall be done on the stage or in the adjacent support areas.
- (18) All scenery elements are to be flame retardant. The use of open flame (candles, matches, lighters, etc.) is expressly prohibited.
- (19) No scenery, stage furniture, props, costumes, equipment, or other types of items may block any exits, loading doors, storage rooms, sidewalks, or parking areas at any time.
- (20) Any stage props that have power must meet current electrical codes. Such props are subject to inspection and approval. Any props that do not pass inspection are subject to immediate removal from the Facility.
- (21) The renter is encouraged to provide posters, banners, and promotional material for the "Coming Attractions" display board at the theatre's entrance. Any items to be displayed on the "Coming Attractions" board are subject to approval by the Department.
- (22) The renter shall not change the location or use of the lobby displays, easels, or signs without prior approval.
- (G) The renter shall ensure, and does warrant by executing the rental agreement, that all copyrighted material to be performed within the Facility has been duly licensed or consent has been obtained from the copyright owners or their representatives. Furthermore, the renter agrees to indemnify and hold the City of Asheboro harmless from any and all claims, losses, or expenses incurred as a result of intellectual property law compliance issues. By way of illustration and not limitation, the renter shall pay all of the City's costs and expenses, including reasonable attorney's fees, incurred in defense of or as a result of any claims respecting copyrights, trademarks, and related intellectual property matters.
- (H) The renter shall be responsible for the payment of any and all taxes, permits, fees (including without limitation alcoholic beverage control permit fees and fees associated with intellectual property licensing rights), and other charges arising out of or connected with the renter's use of the Facility. Furthermore, the renter shall, and does agree by executing the rental agreement, to save and hold the City harmless from any and all obligations with respect to such taxes, permits, fees, and other charges.
- (I) If permission is granted by the Department for the renter to hold a catered event (food beyond normal concession products), the food must be served and

consumed in areas approved by the Department during the rental agreement review and approval process.

(J) The renter is responsible for providing the following at the renter's own expense:

(1) If the Facility's sound system is needed for an event, a responsible adult must be designated to operate the sound system.

(2) If the Facility's light system is needed for an event, a responsible adult must be designated to operate the light system.

(3) If needed, ushers for the event.

(4) If needed, ticket sellers /takers for the event.

(5) As needed, a money box and petty cash.

(K) Fire extinguishers and exits:

(1) All persons/groups acting for or on behalf of a renter are responsible for knowing the location of all fire extinguishers and exits. A location map will be provided by the Department.

(2) Prior to each event or each performance, an individual acting on behalf of the renter must make an announcement stating the location of restrooms and emergency exits.

(L) The City reserves the right to cancel any event, at any time, on the basis of rental agreement violations.

(M) For the listed fees, the following items/services are available:

(1) Ticket Design Service (\$75.00 for up to 390, tickets printed on one side)

(2) One Poster for Display Case (\$25.00 per poster)

RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

BENEFICIARY RESOLUTION

BE IT RESOLVED by the City Council of the City of Asheboro that the City of Asheboro does hereby authorize and agree to receive distributions from the **Peggy Phillips Tufts Memorial Endowment** (“Endowment”), a designated endowment of the North Carolina Community Foundation, Inc. (“Foundation”) created for the benefit of the City of Asheboro with the restriction that all distributions must be utilized for the “upkeep, maintenance and care of the Asheboro City Cemetery.” The Endowment was established pursuant to the terms of the *Peggy June Phillips Tufts Revocable Trust, dated April 12, 2011, as amended, Heath Dedmond, Trustee*. Peggy Phillips Tufts who made this generous gift possible was residing in Lee County at the time of her passing on August 2, 2017. The Endowment is to be owned and managed by the Foundation and held by the Foundation as a component fund thereof; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the City of Asheboro hereby authorizes the Foundation and its officers and agents to accept contributions to the Endowment on its behalf, and further authorizes its own officers and agents, including its Finance Director, to execute and deliver to the Foundation any instruments or documents necessary or useful to effect the authorization, establishment, use and continued maintenance of said Endowment and further agrees to use the distributions from the Endowment for the purpose set forth in the above paragraph.

ADOPTED on April 4, 2019, by the governing body of the City of Asheboro at a meeting duly called and held, at which a quorum was present and acting throughout.

Signed this the 4th day of April, 2019.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE GENERAL FUND
FY 2017-2018

WHEREAS, The City of Asheboro received an unexpected distribution from the Asheboro ABC board, and;

WHEREAS, the Airport needs new access gate controllers and keypad / proximity readers, a new 2.5 Ton Heat pump and to replace some hangar doors, and;

WHEREAS, The City Council of the City of Asheboro desires to amend the budget as required by law to adjust for changes in revenue 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:

<u>Account #</u>	<u>Revenue Description</u>	<u>Increase</u>
10-320-0000	ABC Board Distribution	25,000

Section 1: That the following Expense line item be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-650-1500	Maint. & Repair Buildings	25,000

Adopted this 4th day of April, 2019

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

Bid Summary
Police Department

Bid Open April 1, 2019 2PM

Company Name	Demolition	Proper Equipment	Labor	Total Bid
Catawba Mechanical Services. Inc.	yes	Yes	Yes	\$296,300
Charlies Tin Shop Inc.	yes	Yes	Yes	\$116,774
Superior Mechanical Inc.	Yes	Yes	Yes	\$104,240

Lowest responsive bidder Superior Mechanical \$104,240