

**REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, ASHEBORO CITY HALL
THURSDAY, AUGUST 5, 2021
7:00 PM**

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	)
Jane H. Redding	) – Council Members Present
Katie L. Snuggs	)
Charles A. Swiers	)
Linda H. Carter	) –Council Members Absent
Walker B. Moffitt	)

John N. Ogburn, III, City Manager
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
Trevor L. Nuttall, Community Development Director
Spencer C. Patton, Engineering Department Intern
Deborah P. Reaves, Finance Director
Jeffrey C. Sugg, City Attorney
Charles D. Wagner, Police Captain
Tammy M. Williams, Deputy City Clerk

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. Public Comment Period

Mayor Smith opened the floor for public comments.

Mr. Tom Morgan discussed the lack of progress in constructing the improvements previously approved by the North Carolina Department of Transportation for North Carolina Highway 42 between East Salisbury Street and Dixie Drive. Mr. Morgan expressed his hope that the city will continue to advocate for state funding for the improvements that have been designed for this stretch of highway.

On a separate note, Mr. Morgan praised the local chapter of the Disabled American Veterans for undertaking a project to address elder abuse. He hopes other chapters will follow the lead of the local organization in implementing such a project.

Before the end of the public comment period, a group of citizens asked questions and expressed their concerns about the annexation petition and zoning application submitted by Asheboro Land Development, LLC, which owns an existing construction and demolition debris landfill in the city. The petition and zoning application pertain to an approximately 114-acre parcel of land (Randolph County Parcel Identification No. 7761597738) at 577 Gold Hill Road.

The annexation petition submitted by Asheboro Land Development, LLC was listed on the council's meeting agenda for consideration under agenda item number 7. The specific action items to be considered under agenda item number 7 were (a) a resolution directing the city clerk to investigate the annexation petition, and (b) a resolution scheduling and ordering the advertisement of a public hearing, which would be held during the council's next regular meeting, on the question of the annexation petition.

After hearing the questions and concerns raised by citizens about the annexation petition, Mayor Smith proposed to bring the issue of Asheboro Land Development, LLC's annexation petition forward for immediate consideration. The neighbors who raised these issues were Mr. Owen Deese, Mr. William Atkins, Mr. David Mabe, and Ms. Betty York.

**4. Asheboro Land Development, LLC's Annexation Petition
(Listed on the Meeting Agenda as Item No. 7)**

No council members objected to moving the consideration of the annexation petition forward to immediately follow the public comment period. The discussion centered on the issue of whether the council wished to proceed with scheduling a public hearing on annexation for land that is not even within the city's extraterritorial planning jurisdiction.

A consensus emerged to give the issue more consideration before acting on the resolutions needed to move the annexation process to the public hearing stage. Council Member Bell moved, and Council Member Burks seconded the motion, to continue the consideration of the resolutions connection with the Asheboro Land Development, LLC annexation petition to the next regular meeting on September 16, 2021. Council Members Bell, Burks, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes.

**5. Consent Agenda
(Listed on the Meeting Agenda as Item No. 4)**

Council Member Burks moved, and Council Member Bell seconded the motion, to approve/adopt, as presented, the following consent agenda items. Council Members Bell, Burks, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes.

(a) Meeting Minutes – Regular Council Meeting on July 15, 2021

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

(b) Meeting Minutes – Special Council Meeting on July 22, 2021

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

(c) Zoo City Sportsplex Easements and Service Agreement

Randolph Electric Membership Corporation is the electric service provider for the territory in which the Zoo City Sportsplex is located. In order to proceed with the development of the sportsplex, the city council unanimously approved the following resolution authorizing the execution of distribution line easements and an underground electric service installation agreement with Randolph Electric Membership Corporation.

20 RES 8-21

**RESOLUTION AUTHORIZING THE EXECUTION OF DISTRIBUTION
LINE EASEMENTS AND AN UNDERGROUND ELECTRIC SERVICE
INSTALLATION AGREEMENT WITH RANDOLPH ELECTRIC
MEMBERSHIP CORPORATION**

WHEREAS, Section 160A-273 of the North Carolina General Statutes enables cities to grant easements over, through, under, or across city-owned property; and

WHEREAS, the City of Asheboro (the "City") is currently constructing the Zoo City Sportsplex (the "Sportsplex"); and

WHEREAS, in order to successfully construct and operate the Sportsplex, service agreements must be finalized with the electric service provider for the territory in which the Sportsplex is located; and

WHEREAS, Randolph Electric Membership Corporation ("REMC") is the electric service provider for the territory in which the Sportsplex is located; and

WHEREAS, if the city executes three distribution line easements and an underground electric service installation agreement requested by the electric service provider, REMC will proceed with installing the overhead and underground electric service equipment needed for the successful operation of the Sportsplex; and

WHEREAS, the three distribution line easements drafted by REMC (collectively, the "Easements") are attached to this Resolution as EXHIBIT 1 and are hereby incorporated into this Resolution by reference as if copied fully herein; and

WHEREAS, the underground electric service installation agreement drafted by REMC (the "Agreement") is attached to this Resolution as EXHIBIT 2 and is hereby incorporated into this Resolution by reference as if copied fully herein; and

WHEREAS, city staff has recommended approval of the Easements and the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, in consideration of the electric service needed to successfully construct and operate the Sportsplex, the terms and conditions of the Easements and Agreement attached to this Resolution are accepted; and

BE IT FURTHER RESOLVED that the Mayor of the City of Asheboro is hereby authorized and directed to execute, on behalf of the municipal corporation, the Easements attached to this Resolution as EXHIBIT 1; and

BE IT FURTHER RESOLVED that the Asheboro City Manager is hereby authorized and directed to execute, on behalf of the municipal corporation, the Agreement attached to this Resolution as EXHIBIT 2; and

BE IT FURTHER RESOLVED that this Resolution shall be effective upon adoption.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on August 5, 2021.

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

ATTEST:

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

[The exhibits referenced within this resolution are on file in the city clerk's office.]

(d) Additional Professional Service Fees – The Wooten Company

The Wooten Company is providing professional engineering services for the city in connection with the Newbern Avenue drainage study project. In order to investigate alternatives to the 60" pipe as discussed during the regular July 2021 city council meeting, additional services are needed, and payment for these additional evaluative services must be approved. With the approval of the consent agenda, the council unanimously approved the payment to The Wooten Company of additional fees in the amount of \$3,400.00. This additional amount brings the contract price for the professional engineering services to \$49,900.00.

(e) Scheduling of Public Hearings for Land Use Cases

The council unanimously approved a request from the city's community development division to schedule for the council's regular meeting on September 16, 2021, and to advertise in accordance with the applicable statutes and ordinances, public hearings on the following land use cases:

- (i) An application to apply City of Asheboro I2 (CZ) zoning to a parcel of land (Randolph County Parcel Identification Number 7761597738) at 577 Gold Hill Road; and
- (ii) An application to rezone a parcel of land (Randolph County Parcel Identification Number 7763511812) at 1008 Hub Morris Road from R10 to R40 (CZ) zoning.

(f) Interlocal Agreement with Randolph County Concerning Proper Usages of Address within the 9-1-1 System

To provide enhanced 9-1-1 services to the citizens, Randolph County has agreed to maintain and coordinate services, databases, and information between the city and the telephone companies. With the approval of the consent agenda, the council unanimously approved an agreement with Randolph County with a detailed list of responsibilities divided between the county and the city that will enable through this joint effort proper usages of addresses within the 9-1-1 system.

A copy of the approved interlocal agreement is on file in the city clerk's office.

(g) Subrecipient Agreement between the City of Asheboro and the United Way of Randolph County

The city applied for and was awarded a grant in the amount of \$900,000.00 on December 17, 2020, through the Community Development Block Grant – Coronavirus Program (“CDBG-CV”). This program is administered by the Rural Economic Development Division of the North Carolina Department of Commerce (the “DOC”).

The city has been awarded CDBG-CV funds to collaborate with the United Way of Randolph County to form and operate the Asheboro COVID-19 Community Assistance (“ACCA”) Program to provide temporary subsistence payments to City of Asheboro residents who qualify under United States Department of Housing and Urban Development criteria as low- to moderate-income and are negatively impacted by the COVID-19 pandemic.

The city executed its CDBG-CV Grant Agreement with the DOC on January 29, 2021. With the approval of the consent agenda, the city council unanimously approved a Subrecipient Agreement with the United Way of Randolph County for the purpose of confirming the terms and conditions of the CDBG-CV assistance to operate the ACCA program, and for defining the terms and duties of each party in implementing the ACCA.

A copy of the approved Subrecipient Agreement is on file in the city clerk's office.

(h) American Rescue Plan Act Funds Resolution

With the approval of the consent agenda, the council unanimously approved the following resolution for the purpose of formally accepting, on behalf of the City of Asheboro, funding from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021.

21 RES 8-21

**City of Asheboro Resolution for Accepting
American Rescue Plan Act Funds
FY 2021-2022**

WHEREAS, the City of Asheboro is eligible for funding from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF).

WHEREAS, the North Carolina General Assembly will provide for the distribution of funds to eligible North Carolina municipalities; and

WHEREAS, before receiving a payment, the City Council is required to formally accept the CSLRF funds;

WHEREAS, revenue received under the CSLRF must only be spent for purposes authorized by the CSLRF, and applicable regulations, and by state law;

WHEREAS, revenue received under the CSLRF must be accounted for in a separate fund and not co-mingled with other revenue for accounting purposes; and

WHEREAS, the City of Asheboro must comply with all applicable budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that we do hereby accept and request CSLRF funding to be distributed by the State of North Carolina; and

FURTHER RESOLVED that the City of Asheboro affirms that the CSLRF revenue will only be used for the purposes prescribed in the CSLRF, and in US Treasury guidance in 31 CFR, Part 35, and any applicable regulations, and in accordance with state law; and

FURTHER RESOLVED that the City of Asheboro will comply with procedures created by the North Carolina General Assembly and the US Treasury Department to receive funds under the act; and

FURTHER RESOLVED that the City of Asheboro will account for CSLRF in a separate fund and not co-mingle it with other revenues for accounting purposes and will comply with all applicable federal and state budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds; and

FURTHER RESOLVED that the City Council of the City of Asheboro designates and directs the City Manager to take all actions necessary on behalf of the city council to receive the CSLRF funds.

Adopted this the 5th day of August 2021.

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

ATTEST:

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

6. **Community Development Division Cases
(Listed on the Meeting Agenda as Item No. 5)**

- (a) **Case Nos. RZ-21-07 and SUB-21-01:** A legislative hearing, which was continued from July 15, 2021, called to consider an application to amend the RA6 (CZ) zoning on property located west of 1591 East Allred Street, approximately 100 feet east of Ridgewood Circle, to allow a residential planned unit development and to approve a subdivision sketch design.

Mayor Smith re-opened the legislative hearing on the above-referenced land use cases. The first person to speak was Community Development Director Trevor Nuttall, who presented a written request from the applicant, Davidson Land Development, LLC.

The applicant's request was to continue the above-referenced land use cases to the city council's regular meeting on September 16, 2021. In response to this request, Council Member Bell moved, and Council Member Swiers seconded the motion, to continue the above-referenced land use cases to the council's next regular meeting on September 16, 2021. Council Members Bell, Burks, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes.

- (b) **Case No. RZ-21-08:** A legislative hearing called to consider an application to rezone a parcel of land (Randolph County Parcel Identification No. 7752676855) at 2078 North Asheboro School Road from R15 to O&I zoning.

Mayor Smith opened the legislative hearing on the application by Freedom Baptist Church, by and through Pastor Ricky T. Byerly, (the "Applicant") to rezone approximately 2.86 acres of land (the "Zoning Lot") at 2078 North Asheboro School Road from R15 (Low-Density Single-Family Residential) to O&I (Office and Institutional) zoning. The Zoning Lot is owned by the Applicant in its legal name, Freedom Baptist Church of Asheboro, Inc.

Mr. Nuttall utilized a slide show to present the planning staff's analysis of the application. During his presentation, Mr. Nuttall noted the following:

1. The property is beyond the city limits, but located within the city's extraterritorial zoning jurisdiction.
2. North Asheboro School Road (SR 1723) is a state-maintained collector road.
3. The property is within the Balance of the Back Creek Watershed. The maximum area that can be built upon by right with impervious surfaces such as pavement and buildings is 12% in this area. The zoning ordinance does allow an increase in built upon area with a Special Use Permit (Special Non-Residential Intensity Allocation or SNIA) from the city council. Records indicate that the property was granted a SNIA in April 1998 to allow impervious coverage on up to 70% of the property.
4. Tax records indicate the structure currently located on the property was built in 1999. The existing land use on the Zoning Lot is a non-commercial place of assembly (church).

5. The current R15 district is described by the zoning ordinance as “intended to provide regulations which will produce a low intensity of single-family residential use with the necessary governmental and other support facilities to service such suburban intensity living.” The requested O&I district is 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.”
6. Significant changes or the addition of structures over 1,000 SF or representing more than a 10% increase in the size of structures related to the current use requires either a new Special Use Permit or rezoning of the property, which is what the owner applied for. If approved, uses permitted by right in the O&I district may be reviewed by staff in conformity with the zoning ordinance and subject to the watershed protection ordinance.

Mr. Nuttall noted that, when evaluating a rezoning application, careful consideration must be given to each goal and policy as outlined in the Land Development Plan.

Proposed Land Use Map Designation: Office and Institutional

Small Area Plan: Northeast

Growth Strategy Map Designation: Economic Development

LDP Goals/Policies Supporting the Request:

Checklist Item 1: Rezoning is compliant with the Proposed Land Use Map.

Checklist Item 5: The proposed rezoning is compliant with the objectives of the Growth Strategy Map.

Checklist Items 13-14: Property is located outside of Special Hazard Flood Area, or Area with Steep Slopes (>20%).

LDP Goals/Policies Which Do Not Support the Request:

Checklist Item 3: The property on which the rezoning district is proposed does not fit the description of the Zoning Ordinance (*Article 200, Section 210, Schedule of Statements of Intent*).

Checklist Item 12: Property is located within watershed area.

The City of Asheboro Planning Board considered the rezoning application and recommended placement of the Zoning Lot in the requested O&I zoning district. In making this recommendation, the planning board concurred with the planning staff's consistency statement, which provided as follows:

This request is supported by the Land Development Plan's designation of the property for Office and Institutional use and the history of this property being developed and used for an Institutional purpose for over twenty (20) years.

Although North Asheboro School Road is not classified as a minor thoroughfare or higher classification street, it is used by two schools, a manufacturing facility, and the institutional use on the subject property. Additionally, more intense commercial and industrial zoning exists to the west and east of the property also makes an O&I classification reasonable and in the public interest.

Furthermore, given the limited range of non-residential uses in the O&I district in comparison to other non-residential districts, the request fits the property.

Considering these factors, staff believes that the requested O&I district is overall consistent with the Land Development Plan and is therefore reasonable and in the public interest.

In response to Mayor Smith inviting comments from the public, Reverend Ricky Byerly, Pastor of Freedom Baptist Church, presented comments in support of the rezoning application. No other comments were offered from the public, and Mayor Smith then transitioned to the deliberative phase of the process.

The city council concurred with the staff and planning board analysis. Council Member Bell moved, and Council Member Burks seconded the motion, to adopt the plan consistency statement printed below and to approve the requested rezoning with the following two-part motion:

1. The application is supported by the Land Development Plan's designation of the Zoning Lot for office and institutional use. This lot has been used for an institutional purpose for approximately 20 years.

Although North Asheboro School Road is not classified as a minor thoroughfare or higher classification street, it is used by two schools, a manufacturing facility, and the existing institutional use on the Zoning Lot. Additionally, the existence of more intense commercial and industrial zoning to the west and east of the Zoning Lot is consistent with viewing the requested O&I zoning classification as reasonable.

Furthermore, in view of the limited range of non-residential uses in the O&I zoning district, when compared to other non-residential districts, the request fits the property.

Considering the totality of these factors, the council has concluded that the requested O&I zoning district maintains consistency with the Land Development Plan, is reasonable, and is in the public interest.

2. In light of the above-stated analysis, the requested zoning map amendment to place the Zoning Lot in an O&I zoning district is approved as consistent with the adopted plan.

Council Members Bell, Burks, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes.

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

(c) Case No. RZ-21-09: A legislative hearing called to consider an application to rezone property at 5009 United States Highway 220 Business North from R15 to I2 zoning.

Mayor Smith opened the legislative hearing on the application by Joel M. Brown, by and through his agent, H.R. Gallimore, (the "Applicant") to rezone approximately 2.89 acres of the Applicant's land (the "Zoning Lot") at 5009 United States Highway 220 Business North from R15 (Low-Density Single-Family Residential) to I2 (General Industrial) zoning. The Zoning Lot is more specifically identified as the entirety of Randolph County Parcel Identification Number 7754913917 and a portion of the parcel of land located immediately to the south (Randolph County Parcel Identification Number 7754818703).

Mr. Nuttall utilized a slide show to present the planning staff's analysis of the application. During his presentation, Mr. Nuttall noted the following:

1. The Zoning Lot is inside the city limits.
2. United States Highway 220 Business North is a state-maintained major thoroughfare.
3. Section 4.04 of the zoning ordinance describes the R15 Residential District as "intended to provide regulations which will produce a low intensity of single family residential use with the necessary governmental and other support facilities to service such suburban intensity living." The intent of the requested I2 zoning district is to "produce areas for intensive manufacturing, warehousing, processing and assembly uses, controlled by performance standards to limit the effect of such uses on adjacent districts."
4. The majority of Parcel No. 7754818703 is currently zoned I2 General Industrial. However, a provision of the zoning ordinance (Section 3.01) general prohibits access through residential properties into uses not permitted in residential zones. As this property is currently zoned, accessing the portions that are zoned I2 from United States Highway 220 Business North would require going through residential property unless access were from an adjoining property.
5. Both properties area designated as an "Employment Center" on the Land Development Plan Proposed Land Use Map. The Growth Strategy Map designates Parcel No. 7754818703 (the larger of the two parcels to the south) as part of the "Economic

Development” area and Parcel No. 7754913917 as a “Primary Growth” parcel.

6. The property is within a North Carolina Opportunity Zone. Economic investment in these zones, based on income criteria within census tracts, may receive favorable tax treatment.
7. The property is adjacent to the Norfolk Southern Railroad.

Mr. Nuttall noted that, when evaluating a rezoning application, careful consideration must be given to each goal and policy as outlined in the Land Development Plan.

Proposed Land Use Map Designation: Employment Center

Small Area Plan: Northeast

Growth Strategy Map Designation: Primary Growth /
Economic Development

LDP Goals/Policies Supporting the Request:

Checklist Item 1: Rezoning is compliant with the Proposed Land Use Map.

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: The proposed rezoning is compliant with the objectives of the Growth Strategy Map.

Checklist Item 9: Rezoning will benefit the economic vitality of NC Department of Commerce State Economic Development Area (NC Opportunity Zone).

Checklist Items 12-14: Property is located outside of the watershed area, Special Hazard Flood Area, or Area with Steep Slopes (>20%).

LDP Goals/Policies Which Do Not Support the Request:

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

The City of Asheboro Planning Board considered the rezoning application and recommended placement of the Zoning Lot in the requested I2 zoning district. In making this recommendation, the planning board concurred with the planning staff's analysis, which provided as follows:

The designation of the property as an “Employment Center” on the Land Development Plan’s proposed land use map, along with the designation of the property as either part of the Primary Growth or Economic Development Area on the Growth Strategy Map help support the requested General Industrial designation.

This section of the United States Highway 220 Business North corridor has developed with various industrial uses, and the property’s location within the North Carolina Department of Commerce Opportunity Zone area makes an I2 designation appropriate. Additionally, given restrictions on access to industrial property across residential property, rezoning the entire property for industrial use eliminates this problem.

Although ideally there is a transition between industrial and residential zoning, the non-residential use of contiguous parcels not separated by United States Highway 220 Business North minimizes this concern.

Considering these factors, staff believes that the requested I2 district is overall consistent with the Land Development Plan and is therefore reasonable and in the public interest.

In response to Mayor Smith’s request for comments from the public, H.R. Gallimore discussed his basis for supporting the requested rezoning. There were no other comments from the public, and Mayor Smith then transitioned to the deliberative phase of the process.

The city council concurred with the staff and planning board’s analysis of the rezoning application. Council Member Bell moved, and Council Member Burks seconded the motion, to adopt the plan consistency statement printed below and to approve the requested rezoning with the following two-part motion:

1. The status of the Zoning Lot as an “Employment Center” on the Land Development Plan’s Proposed Land Use Map and the designation of the lot as either part of the Primary Growth or Economic Development Area on the Growth Strategy Map are supportive of granting the requested general industrial designation.

An I2 zoning district is especially appropriate in light of the following facts: (a) This section of the United States Highway 220 Business North corridor has developed with various industrial uses, and (b) The Zoning Lot is located within a North Carolina Department of Commerce Opportunity Zone. Furthermore, approval of the requested I2 zoning district for the entire property eliminates the problem that would otherwise be posed by the zoning ordinance’s restrictions on access to industrial property across residential property.

Ideally, there is a transition between industrial and residential zoning. However, the non-residential use of contiguous parcels not separated by United States Highway 220 Business North minimizes this concern.

Considering these factors, the council has concluded that the requested I2 zoning district maintains consistency with the Land Development Plan, is reasonable, and is in the public interest.

2. In light of the above-stated analysis, and looking at the totality of the evidence, the requested zoning map amendment to place the Zoning Lot in an I2 zoning district is approved as consistent with the adopted plan.

Council Members Bell, Burks, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes.

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

(d) Case No. SUB-19-01: Final Plat Approval – West Pointe Townhomes, Phase 1

Community Development Director Trevor Nuttall presented the planning staff's analysis of the application for approval of the final subdivision plat for West Pointe Townhomes, Phase 1. The subdivision is currently comprised of one parcel of land (Randolph County Parcel Identification Number 7750249743), and its location is at Whitley Street (north of Sherwood Avenue), Londelle Lane, and Nicki Street.

Larry McKenzie (the "Applicant") has requested approval of final plat for Phase 1. This plat pertains to approximately 2.72 acres out of a total of approximately 7.34 acres.

The final plat under review shows 7 lots out of 29 plus common area. The average lot size in Phase 1 is approximately 2,259 square feet.

The property is located in an R10 zoning district. The existing land use is a residential planned unit development that is under construction.

The Applicant proposes a mix of detached patio style homes and attached duplex style units. The council approved a special use permit for this project in April 2019.

The Applicant proposes a combination of city-maintained and privately maintained streets. 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. This phase of the development includes platting the public right-of-way for Whitley Street as well as private streets that will be maintained by the homeowners association (Londelle Lane and Nicki Street).

Required sidewalks and overflow parking within this phase of the subdivision have been guaranteed in compliance with the city's subdivision ordinance.

One recreation area is included with this phase of the subdivision. The recreation area is located on the northern side of the property.

As part of the staff analysis, Mr. Nuttall noted that the following issues must be completed by the Applicant in compliance with the applicable ordinance provisions before the final plat for this subdivision can be recorded:

1. Final plat corrections are pending; and
2. Homeowners documents must be recorded with the final plat. These documents must include maintenance mechanisms for the common area and restrictions concerning recreational vehicle (RV) parking.

The City of Asheboro Planning Board concurred with the planning staff's analysis and, subject to and on the condition that the above-listed items are satisfactorily addressed, recommended approval of the final subdivision plat for West Pointe Townhomes, Phase 1.

Council Member Bell moved, and Council Member Swiers seconded the motion, to adopt the planning board's recommendation and to conditionally approve the final subdivision plat for West Pointe Townhomes, Phase 1. The conditions attached to this approval are the above-listed items noted by Mr. Nuttall as requiring completion by the Applicant before the final plat for this phase of the subdivision can be recorded. This motion was approved when Council Members Bell, Burks, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes.

7. Award of a Contract for an Airport Project
(Listed on the Meeting Agenda as Item No. 6)

Engineering Intern Spencer Patton presented the bid tabulation for the runway/taxiway lighting and signage rehabilitation project at the Asheboro Regional Airport.

The certified bid tabulation received from W.K. Dickson & Co., Inc., which provides professional engineering services for the city in connection with the airport, listed the following bids for the lighting and signage rehabilitation project:

1.	Walker & Whiteside, Inc.	\$1,198,062.00
2.	Southern Site Services	\$1,316,195.00
3.	Kobo Utility Construction Corp.	\$1,980,621.00

The lowest responsible bid was from Walker & Whiteside, Inc. (the "Bidder"), but this bid amount was in excess of the funds available for the project. Consequently, pursuant to Section 143-129(b) of the North Carolina General Statutes, reasonable changes were made to the plans and specifications for the project in order to bring the contract price within the amount of funds available for the project.

With the changes in the plans and specifications, the city's engineers recommended awarding the contract to Walker & Whiteside, Inc. for a contract price of \$1,051,325.00. The Bidder is willing to perform the work for this contract price.

Council Member Burks moved, and Council Member Snuggs seconded the motion, to award, subject to concurrence from the North Carolina Department of Transportation's Division of Aviation and the Federal Aviation Administration, the contract to perform the lighting and signage rehabilitation project work for the contract price of \$1,051,325.00. Council Members Bell, Burks, Redding, Snuggs, and Swiers voted aye. There were no dissenting votes.

8. Upcoming Events and Items Not Listed on the Agenda

No council action was taken during this portion of the meeting.

With no further business to conduct, the meeting was adjourned at 8:11 p.m.

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

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