

**AMENDED AGENDA
REGULAR MEETING
CITY COUNCIL, CITY OF ASHEBORO
THURSDAY, OCTOBER 6, 2022, 7:00 PM**

1. Call to order.
2. Silent prayer and pledge of allegiance.
3. Old Business: Continuation from September 8, 2022, of the quasi-judicial hearing on a subdivision ordinance variance application (Case No. SUB-22-01) for Windcrest Acres, Section 4. *(A written request to withdraw the variance application has been received from the applicant and will be presented for the council's consideration.)*
4. Presentation by Brett C. Sturm, Restoration Specialist with the State Historic Preservation Office, on the recent listing of the Asheboro Downtown Historic District on the National Register of Historic Places.
5. Public Hearing: A potential building reuse grant application as part of an economic development project with UpStyled Goods and Salon, LLC.
6. Public comment period.
7. Consent Agenda:
 - (a) Approval of the meeting minutes for the regular city council meeting held on September 8, 2022.
 - (b) Approval of the community development division's request to schedule for November 10, 2022, and to advertise, a legislative hearing on an application to rezone property at 1622 Zoo Parkway (Randolph County Parcel Identification Number 7750955151), on the west side of Zoo Parkway and approximately 200 feet north of Ridge Street, from B2 to I1 zoning.
 - (c) Approval of the dates, along with the associated rules, for the 2022-2023 Canada Geese (also includes White-Fronted Geese) and duck hunting season at Lake Reese.
 - (d) Approval of a temporary street closure order for the Halloween Downtown special event on Saturday, October 29, 2022.
 - (e) Approval of a temporary street closure order for the Veterans Day parade on Friday, November 11, 2022.

(f) Approval of budget amendments pertaining to the General Fund and the Zoo City Sportsplex Project:

(i) General Fund Amendment – Score Boards at the Zoo City Sportsplex;

(ii) Zoo City Sportsplex Fund Amendment – Score Boards and YMCA Donation for Playground;

(iii) General Fund Amendment – George Washington Carver Community Enrichment Center After School Program;

(iv) General Fund Amendment – Vehicle and Equipment Purchases with Installment Financing; and

(v) General Fund Amendment – Library HVAC System.

(g) Approval of an ordinance establishing a 4-way stop at the intersection of Sherwood Avenue and Lambert Drive.

(h) Approval of an ordinance establishing a 4-hour parking zone on Sunset Avenue between the railroad right-of-way and Church Street.

(i) Approval of a resolution awarding to Charles F. Vonnannon his service side arm upon his retirement from the Asheboro Police Department.

(j) Approval of a resolution declaring the official intent of the City of Asheboro to purchase municipal vehicles and equipment and to reimburse the General Fund with installment financing proceeds.

(k) Approval of an audit contract amendment reflecting the merger of William R. Huneycutt, CPA, PLLC with Huneycutt, Parsley, and Taylor, CPAs, PLLC.

(l) Approval of a resolution stating the intent of the Asheboro City Council to lease hangar space at the Asheboro Regional Airport to the Civil Air Patrol.

(m) Acknowledgement of the receipt from the Asheboro ABC Board of its meeting minutes for August 29, 2022.

8. Legislative Hearing (Case No. RZ-22-10): Community Development Director Trevor Nuttall will provide the planning staff's analysis of an application to amend R10 (CZ) zoning on property at 1223 Crestview Church Road, which is located on the west side of Zoo Parkway (Randolph County Parcel Identification Number 7669289834), to allow a new residential planned unit development, including a subdivision sketch design.
9. City Manager John Ogburn and Finance Director Deborah Reaves will present the following items.
 - (a) Update on Frazier Park capital improvements and usage.
 - (b) Request for approval of a Standard Abbreviated Form of Agreement between the City of Asheboro (Owner) and JDavis Architects, PC (Architect) for the City of Asheboro I73/I74 Corridor Place Making and Branding Project at the Pineview Street Interchange.
 - (c) Request for approval of a corresponding budget amendment for the immediately preceding agenda item.
 - (d) Request for approval of a professional design study for Bicentennial Park by Freeman Kennett Architects, PLLC.
 - (e) Request for approval of a corresponding budget amendment for the immediately preceding agenda item.
 - (f) Request for approval of a revised PTRC Agreement for Strategic Management Assistance for water line extension and wastewater services.
 - (g) Request for approval of a corresponding budget amendment for the immediately preceding agenda item.
10. Mayor Smith will lead a discussion of upcoming events and items not on the agenda.
11. Adjournment.

RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**RESOLUTION AUTHORIZING AND SUPPORTING THE
SUBMISSION OF A BUILDING REUSE GRANT APPLICATION AS
PART OF AN ECONOMIC DEVELOPMENT PROJECT WITH
UPSTYLED GOODS AND SALON, LLC**

WHEREAS, the North Carolina Department of Commerce administers grants and loans to units of local government such as the City of Asheboro (the “City”) to support economic development activity that will lead to the creation of new, full-time jobs; and

WHEREAS, UpStyled Goods and Salon, LLC (the “Company”) is a startup retail operation that owns real property at 122 S. Church Street in Asheboro; and

WHEREAS, the Company is proposing to invest no less than \$55,000 in upfits for its real property at 122 S. Church Street; and

WHEREAS, in addition to the above-stated investment in real property improvements, the Company is committed to creating five new, full-time jobs in Asheboro; and

WHEREAS, in light of the Company’s stated commitment to job creation, the City’s professional staff has joined with the Randolph County Economic Development Corporation to recommend that the municipal corporation submit an application for Building Reuse Grant funding in the amount of \$25,000 for this project; and

WHEREAS, on October 6, 2022, the Asheboro City Council conducted a properly advertised public hearing on the question of whether to submit the above-described grant application; and

WHEREAS, after considering the information presented during the public hearing, the governing board concurred with the recommendation to submit an application for Building Reuse Grant funding.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the governing board supports the job creation associated with the Company’s proposed project; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the governing board believes that, in addition to job creation, the City’s

participation in the proposed economic development project will increase the population, the taxable property base, and business prospects in the City; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that, for the above-stated reasons, the City is fully supportive of submitting a Building Reuse Grant application seeking \$25,000 in funding; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the mayor and the City's appointed officials are hereby authorized to execute the legal instruments necessary to successfully complete the above-described grant application process.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on October 6, 2022.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

**REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, ASHEBORO CITY HALL
THURSDAY, SEPTEMBER 8, 2022
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	)
Kelly L. Heath	)
William N. McCaskill	) – Council Members Present
Walker B. Moffitt	)
Jane H. Redding	)
Charles A. Swiers	)

John N. Ogburn, III, City Manager
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
Michael L. Leonard, PE, City Engineer
Mark T. Lineberry, Chief of Police
Trevor L. Nuttall, Community Development Director
Deborah P. Reaves, Finance Director
Jeffrey C. Sugg, City Attorney

1. Call to Order

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

2. 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. Old Business: NAACP Resolution Request

Mayor Smith opened the floor for council members to discuss the request made by representatives of the Randolph County Chapter of the NAACP, during the city council’s regular meeting in August 2022, for the city council to adopt a resolution titled “Resolution to Remove and Relocate the Confederate Statue and Monument Located at the Historic Randolph Courthouse.” Subsequent to the August 2022 city council meeting, a substitute resolution was submitted for the council’s consideration.

After discussion among the council members, Council Member Moffitt moved, and Council Member McCaskill seconded the motion, to adopt the substitute resolution. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes. Consequently, the following resolution was adopted unanimously.

29 RES 9-22

RESOLUTION

Whereas, in the City of Asheboro, on public property owned by the County of Randolph, in a prominent location on the grounds of the Randolph County Courthouse property, a statue of a Confederate soldier was erected in 1909, dedicated to “our Confederate heroes” in 1911, and remains to this day as a monument to Confederate soldiers.

Whereas, the Confederate statue is offensive to a significant number of Asheboro citizens because of its legacy of racial injustice during the period before and after the statue was erected.

Whereas, due to the passion of those both pro and con concerning the statue, said statue constitutes an ongoing public safety threat in the City of Asheboro.

Whereas, the City of Asheboro desires to continue economic development progress in the City for the benefit of all our citizens. The Confederate statue, because of past injustices it represents and its prominent governmental location, potentially damages the City of Asheboro's ability to recruit new business and industry.

Whereas, the City of Asheboro seeks to be an inclusive and just governmental entity for all our citizens.

NOW, THEREFORE, to accomplish the above mentioned goals, it is **RESOLVED** as follows:

The City Council of Asheboro North Carolina desires that the Confederate statue located on Randolph County Courthouse property in the City of Asheboro be relocated to some other respectable placement as soon as possible. The City Council of Asheboro hereby offers any necessary assistance to facilitate relocation of the statue.

This resolution was duly adopted by the Asheboro City Council in open session during a regular meeting held on the 8th day of September, 2022.

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

ATTEST:

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

4. Presentation by Asheboro Kiwanis Club

The Kiwanis Club of Asheboro, by and through Drew Weiner, club president, and Lynn Jones, club secretary/treasurer, presented the city with a donation in the amount of \$50,000 to be used for the installation of playground equipment at McCrary Ballpark. On behalf of the council members and the entire city, Mayor Smith thanked the club's officers for the donation by the Asheboro Kiwanis Club.

5. Public Comment Period

Mayor Smith opened the floor for comments from the public.

Mr. Clyde Foust, Ms. Jane Gant, Rev. James Pemberton, Kevin Price, Joan Akers, Dean Brown, Chuck Egerton, and Bishop Michael Trogdon commented on issues related to the resolution adopted as part of the council's action in connection with the preceding agenda item three.

In addition to comments related specifically to agenda item three, Bishop Trogdon commented on the allocation of resources for recreation facilities and the need for resources on the east side of Asheboro.

In addition to commenting on agenda item three, Rev. Pemberton and Mr. Price also commented individually on different aspects of city public works activities such as road maintenance/safety and the impact that public projects have on private property.

Ms. Pat McGrath commented on the state of city parks, most specifically Frazier Park.

6. Consent Agenda

Council Member Burks moved, and Council Member Heath seconded the motion, to approve/adopt the consent agenda as presented. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes. Consequently, the following actions were unanimously approved/adopted by the city council.

(a) City Council Meeting Minutes for July 26, 2022

The meeting minutes for the city council's special meeting on July 26, 2022, were approved and have been filed in the city clerk's office. An electronic copy of the approved document has been posted on the city's website.

(b) City Council Meeting Minutes for August 4, 2022

The meeting minutes for the city council's regular meeting on August 4, 2022, were approved and have been filed in the city clerk's office. An electronic copy of the approved document has been posted on the city's website.

(c) Asheboro ABC Board Meeting Minutes for June 27, 2022, and August 8, 2022

The city council acknowledged the receipt of the Asheboro ABC Board's approved meeting minutes for June 27, 2022, and August 8, 2022. These documents have been filed in the city clerk's office and distributed to the city's elected officials.

(d) Appointment of Curtis J. Shipley as a Member and the Designation of Stephen R. Knight as Chairman of the Asheboro ABC Board

RESOLUTION NUMBER 30 RES 9-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**APPOINTMENT OF CURTIS J. SHIPLEY TO A THREE-YEAR
TERM OF OFFICE ON THE ASHEBORO ABC BOARD AND THE DESIGNATION
OF STEPHEN R. KNIGHT AS CHAIRMAN OF THE ASHEBORO ABC BOARD**

WHEREAS, the Asheboro ABC Board (the "Board") consists of three members who are appointed by the Asheboro City Council (the "Council") to terms of office that are three years in duration; and

WHEREAS, Section 18B-700(a) of the North Carolina General Statutes provides, in pertinent part, as follows:

If the board is a three-member board, one member of the initial board of a newly created ABC system shall be appointed for a three-year term, one member for a two-year term, and one member for a one-year term. As the terms of the initial board members expire, their successors shall each be appointed for three-year terms. The appointing authority shall designate one member of the local board as chairman; and

WHEREAS, the Honorable J. Brooke Schmidly, who has completed her most recent three-year term of office as a member of the Board and has been serving as the designated Chairman of the Asheboro ABC Board, has indicated that she does not wish to be reappointed to the Asheboro ABC Board for another three-year term.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, North Carolina that Curtis J. Shipley is hereby appointed, effective September 8, 2022, to the Asheboro ABC Board as a member of the board with a three-year term of office; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that, effective September 8, 2022, Stephen R. Knight is hereby designated as Chairman of the Asheboro ABC Board.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 8th day of September, 2022.

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

ATTEST:

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

(e) Special Event Closure Order – 48th Annual Fall Festival

The council approved a special event closure order, including temporary street closures, for the 48th Annual Fall Festival. The temporary closure order will take effect at 2100 hours on September 30, 2022, and will end at 2030 hours on October 2, 2022. Pursuant to the special event closure order, the Zoo City Social District provisions will not be in effect on September 30, 2022, and October 1, 2022. A copy of the map with the special event closure order is on file in the city clerk's office.

(f) Scheduling of a Legislative Hearing for October 6, 2022

The council approved a request from the community development division to schedule for October 6, 2022, and to advertise, a legislative hearing on an application to amend the existing R10 (CZ) zoning to allow a new residential planned unit development, including a subdivision sketch design, on property at 1223 Crestview Church Road, which is located on the west side of Zoo Parkway (Randolph County Parcel Identification Number 7669289834).

(g) Ordinance Prohibiting Parking on Both Sides of Rich Avenue

ORDINANCE NUMBER 48 ORD 9-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

ORDINANCE TO AMEND THE PARKING REGULATIONS
APPLICABLE TO A SECTION OF RICH AVENUE

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

WHEREAS, Section 71.01(A)(1) of the Code of Asheboro provides as follows:

- (A) Pursuant to instructions given to him by the City Council from time to time and entered in the council minute book, the City Manager shall:
- (1) Cause all streets and parts of streets where parking shall be prohibited during prescribed time periods or at all times to be posted accordingly, or cause the curbs thereof to be painted yellow. He shall then notify the City Clerk, who shall enter the description of such streets or parts of streets in Schedule 1 of § 72.02; and

WHEREAS, the section of Rich Avenue between South Cox Street (North Carolina Secondary Road 2322) and Center Street is located within the corporate limits of the City of Asheboro; and

WHEREAS, in response to public safety concerns that have come to the attention of city staff, the City of Asheboro Engineering Department has prepared a drawing showing a “No Parking” at all times designation for both sides of the described section of Rich Avenue; and

WHEREAS, the Asheboro City Council has concluded that the “No Parking” designation prepared by the engineering department should be implemented.

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

Section 1. On-street parking is hereby prohibited at all times on both sides (north and south) of the section of Rich Avenue located between South Cox Street and Center Street (a distance of approximately 514' from the centerline of South Cox Street to the centerline of Center Street).

Section 2. The City Manager is hereby authorized and directed to cause the “No Parking” zone described in Section 1 of this Ordinance to be marked or posted in accordance with Section 71.01(A)(1) of the Code of Asheboro.

Section 3. The City Clerk shall enter a description of the “No Parking” zone established by this Ordinance on Rich Avenue in Schedule 1 of Section 72.02 of the Code of Asheboro.

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

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

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on September 8, 2022.

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

ATTEST:

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

(h) Municipal Declarations – Speed Limitations Associated with United States Highway 64 Business in Asheboro

With the approval of the consent agenda, and subject to the adoption/implementation by the North Carolina Department of Transportation of concurring ordinances and corresponding signage, the city council adopted municipal declarations to both repeal and enact certain speed limitations in connection with the change of United States Highway 64 through Asheboro to United States Highway 64 Business. The adopted municipal declarations, with concurring state ordinance numbers noted parenthetically, are listed in the immediately following nine paragraphs.

(i) City of Asheboro Ordinance Number 49 ORD 9-22 (Concurring State Ordinance Number 1065415)

Repealed Speed Limits: Car – 25 MPH Truck – 25 MPH

Description of Road Impacted: SR 2203 from a point 0.78 mile north of US 64 northward to a point 1.044 miles north of US 64 in Asheboro.

(ii) City of Asheboro Ordinance Number 50 ORD 9-22 (Concurring State Ordinance Number 1081387)

Designated Speed Limits: Car – 45 MPH Truck – 45 MPH

Description of Road Impacted: US 64 BUS – US 64 Business, NC 49 (W. Dixie Drive) between the western corporate limit, SR 1144 (Mack Road), and a point approximately 0.21 mile west of SR 2237 (E. Salisbury Street).

(iii) City of Asheboro Ordinance Number 51 ORD 9-22 (Concurring State Ordinance Number 1081390)

Designated Speed Limits: Car – 55 MPH Truck – 55 MPH

Description of Road Impacted: US 64 Business between a point approximately 0.21 mile west of SR 2237 (E. Salisbury Street) and the eastern corporate limit, 0.03 mile west of SR 2237 (E. Salisbury Street).

(iv) City of Asheboro Ordinance Number 52 ORD 9-22 (Concurring State Ordinance Number 1081400)

Designated Speed Limits: Car – 25 MPH Truck – 25 MPH

Description of Road Impacted: SR 2203 between a point approximately 0.78 mile north of US 64 Business and a point approximately 1.044 miles north of US 64 Business.

(v) City of Asheboro Ordinance Number 53 ORD 9-22 (Concurring State Ordinance Number 1081401)

Designated Speed Limits: Car – 45 MPH Truck – 45 MPH

Description of Road Impacted: NC 42 between a point approximately 0.15 mile east of SR 2196 (Lakecrest Road), the western corporate limit of Asheboro, and a point approximately 0.14 mile east of US 64 Business, NC 49 (Dixie Drive), the eastern corporate limit of Asheboro.

(vi) City of Asheboro Ordinance Number 54 ORD 9-22 (Concurring State Ordinance Number 1081405)

Designated Speed Limits: Car – 45 MPH Truck – 45 MPH

Description of Road Impacted: SR 2345 between SR 2191 (Rock Crusher Road) and a point approximately 0.47 mile east of SR 2191 (Rock Crusher Road).

(vii) City of Asheboro Ordinance Number 55 ORD 9-22 (Concurring State Ordinance Number 1037018)

Repealed Speed Limits: Car – 45 MPH Truck – 45 MPH

Description of Road Impacted: US 64 – W. Dixie Dr. (US 64-NC 49) from the western corporate limit, approximately 0.12 mile east of US 220 Bypass, to S. Fayetteville St. (US 220 Bus.).

(viii) City of Asheboro Ordinance Number 56 ORD 9-22 (Concurring State Ordinance Number 1037019)

Repealed Speed Limits:	Car – 45 MPH	Truck – 45 MPH
Description of Road Impacted:	US 64 – E. Dixie Dr. (US 64-NC49) from S. Fayetteville St. (US 220 Bus.) to the eastern corporate limit, approximately 0.10 mile west of Dublin Rd. (SR 2197).	

(ix) City of Asheboro Ordinance Number 57 ORD 9-22 (Concurring State Ordinance Number 1037243)

Repealed Speed Limits:	Car – 45 MPH	Truck – 45 MPH
Description of Road Impacted:	NC 42 from a point approximately 0.15 mile east of SR 2196 (Lakecrest Road), the west corporate limit of Asheboro, eastward to a point approximately 0.14 mile east of US 64/NC 49 (Dixie Drive), the east corporate limit of Asheboro, in Asheboro (Corporate limits extended).	

7. Quasi-Judicial Hearing: Subdivision Variance Case No. SUB-22-01

Mayor Smith opened the evidentiary hearing on a subdivision ordinance variance application filed by Davidson Land Development, LLC for Windcrest Acres, Section 4 project. Community Development Director Trevor Nuttall was placed under oath and provided the planning staff's analysis of the variance application.

The land within the contemplated Section 4 of the Windcrest Acres subdivision (the "Variance Lot") is approximately 19.91 acres in size and is a portion of a parcel of land identified by Randolph County Parcel Identification Number 7762460011. The Variance Lot adjoins Bennett Street.

The city's zoning map shows the Variance Lot as subject to split R10/RA6 zoning. This split zoning is noted because a small portion of RA6 zoning appears on the zoning map. The planning staff believes the map's depiction of RA6 zoning is erroneous and is investigating the issue. If an error is confirmed, corrective action will be taken. However, the outcome of that investigation does not substantively impact the council's consideration of this subdivision variance case.

The Variance Lot is currently undeveloped. The applicant has contended that a variance from the city subdivision ordinance's mandated curb and gutter design standards for new publicly maintained streets is needed in order to allow the proposed development to proceed.

The Land Development Plan designates the area in which the Variance Lot is located as "Neighborhood Residential." The land uses surrounding the Variance Lot are described as follows:

North: Windcrest Acres, Section 3	East: Future Development Area
South: Manufactured Home Park	West: Residential (Single-Family, Two-Family, and Multifamily) / Commercial

Mr. Nuttall offered uncontroverted testimony that notice of the variance application had been mailed and posted in accordance with the applicable statutory and ordinance provisions. Mr. Nuttall's testimony included the following analysis as a trained planning department professional for the City of Asheboro.

1. The requested variance is from the Asheboro Subdivision Ordinance, Article IX (Required Improvements and Design Standards); Section B.1 (Streets, Publicly Maintained, Design Standards), which require that public streets have curb and gutter.
2. This case is limited to the variance request only. A separate subdivision sketch design request filed in compliance with the Subdivision Ordinance will need to be considered following this hearing and the council's adoption of the minutes and Final Decision Document related to this matter.
3. The Subdivision Ordinance generally requires that new publicly maintained streets have curb and gutter.
4. The design of previous sections of Windcrest Acres (Sections 1 through 3) occurred prior to this requirement being in place.
5. The applicant is seeking a variance from the section of the Subdivision Ordinance below, which prescribes the following design standards for publicly maintained streets:

Article IX, Required Improvements and Design Standards

B. STREETS, PUBLICLY MAINTAINED

1. *Design Standards: All streets shall be designed and built in accordance with the current edition of the North Carolina Department of Transportation Division of Highways Minimum Construction Standards for Subdivision Roads, with the following modifications:*

a. Streets with Curb and Gutter Section

1. *Curb and Gutter shall be 30" concrete per N.C. Department of Transportation Standard #846.01.*
2. *Right-of-way, pavement width, and typical street sections for local and collector roads shall conform to the attached illustration for curb and gutter sections. (See attachment IX-A)*

b. Streets with Valley Curb Section

1. *Right-of-way, pavement width, and typical street sections for local valley curb roads shall conform to the attached illustration for local valley curb. (See attachment IX-B)*
2. *The erosion control plan for valley curb section streets must include the following item certified by a registered professional engineer:*

(a) Stormwater quantity and velocity calculations showing that adequate curb inlets are provided so that storm water will not overtop the valley curb during a twenty-five year storm in a manner that will cause erosion of the street shoulders. (Amended 2/03)

6. Mr. Nuttall reviewed the process for evaluating the subdivision variance application. Variance requests, at both the planning board and city council stage, are evaluated by means of a quasi-judicial process that is subject to G.S. 160D-406. The City of Asheboro Planning Board has considered evidence presented by the applicant, their representatives/witnesses, and any other party with standing to be heard on the question of the requested variance. After the planning board's recommendation is received, the city council will hold its own quasi-judicial hearing and consider the entirety of the evidence presented during the council's evidentiary hearing.

City of Asheboro Planning Board Chair Michael O'Kelley was placed under oath and filed with the council the planning board's final decision document recommending the denial of the requested subdivision ordinance variance. A copy of the planning board's recommendation, as found in that board's final decision document, was entered into the record and has been filed in the city clerk's office.

As noted in the planning board's final decision document, Section 160D-705(d) of the North Carolina General Statutes provides as follows:

(d) Variances. -- When unnecessary hardships would result from carrying out the strict letter of a zoning regulation, the board of adjustment shall vary any of the provisions of the zoning regulation upon a showing of all of the following:

- (1) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*
- (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.*
- (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.*
- (4) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.*

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Any other development regulation that regulates land use or development may provide for variances from the provisions of those ordinances consistent with the provisions of this subsection (Emphasis Added).

The City of Asheboro Subdivision Ordinance addresses the subject of variances in Article IV, Section VII of the ordinance by providing as follows:

VII. VARIANCES

Where, because of severe topographical or other conditions peculiar to the site, strict adherence to the provisions of this Ordinance would cause an unnecessary hardship, the City Council, upon recommendation of the Planning Board, may authorize a variance to the terms of this Ordinance only to the extent that is absolutely necessary and not to an extent which would violate the intent of the Ordinance. All requests for variances shall be submitted in writing, by the subdivider or his agent, to the Planning Department. Such request shall be accompanied by materials providing sufficient evidence to support the claim of hardship.

Email correspondence received by the city planning department from the applicant's representative was part of the documentary evidence submitted to the city council. The basis for the requested variance was succinctly stated in email correspondence, dated July 7, 2022, that was directed to the community development director and the assistance community development director by an employee of the engineering firm retained by the applicant. In part, the email message stated:

After looking at the numbers for phase 3, it has been determined that we will be pursuing a variance for phase 4 to remove the curb and gutter.

With the existing topography being more difficult than phase 3, and considering the slim margins on phase 3, the developer has decided to either do the project with no curb, or not to do it at this time.

Can you send us the requirements for the variance request, and any associated applications to get started?

Let us know what you need from us.

On behalf of the applicant, Christian Vestal and Chris Reid were placed under oath and testified in support of the requested variance. Mr. Vestal used a slide show as part of his testimony.

During the testimony presented on behalf of the applicant, the issue of the topography of the land and the high development costs associated with this project were discussed in connection with the applicant's assertion of the need for a variance in order to alleviate an unnecessary hardship. As part of this testimony, conflicting information emerged as to whether or not certain costly materials were mandated for the project by the city's design specifications.

In order to obtain clarification on this issue, a consensus emerged that the issue should be researched with the city's public works officials, specifically including inspectors familiar with the applicant's project, and a report received under oath as part of a continued hearing on the question of the requested subdivision ordinance variance. Consequently, Council Member Moffitt moved, and Council Member Bell seconded the motion, to continue the hearing to the council's next regular meeting on October 6, 2022. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

8. Community Development Division Intern Tyler Brown

During his recently completed internship with the city's community development division, Tyler Brown worked on new wayfinding and crosswalk signage that could be used within the city's downtown district. Utilizing a slide show presentation, Mr. Brown presented examples of the new signage.

The proposed wayfinding signs, 53 inches tall and 30 inches wide, are updated with new color schemes and identify parking areas for citizens. The new crosswalk signs identify the animal tracks imprinted within the crosswalks.

These aluminum signs will be attached the sidewalk beside the crosswalks. Along with the identification of the animal tracks, the signage gives a brief fact about the animal.

A copy of the slide show presentation utilized by Mr. Brown is on file in the city clerk's office. While no formal action was taken by the council during this portion of the meeting, Mayor Smith and the council members expressed their appreciation to Mr. Brown for his good work.

9. Updates from Community Development Director Trevor Nuttall

(a) Acme-McCrary Hosiery Mill Project

Mr. Nuttall reported that, as part of the city's due diligence for the contemplated acquisition by the city of the Acme-McCrary Hosiery Mill property, a Phase I environmental site assessment of the property is underway. The necessary assessments and reviews are on a schedule that is consistent with the goal to bring this project to a successful conclusion by the end of the calendar year.

No formal action was requested of the council during this portion of the meeting, and none was taken.

(b) Trade Street Streetscape Project

Mr. Nuttall reported that a qualification based selection process has been initiated for the Trade Street Streetscape Project. Responses from design professionals have been received, and the final selection process is moving forward in a timely manner. Additional updates will be provided as the project moves forward.

No formal action was requested of the council during this portion of the meeting, and none was taken.

10. Capital Improvement Project Updates

(a) McCrary Ballpark Improvement Project

- (i)** City Engineer Michael Leonard, PE reported that only one vendor had shown the ability to meet the city's specifications for the new grandstand designed for McCrary Ballpark. In light of this fact, Mr. Leonard recommended the adoption of a resolution authorizing a sole source exception to the competitive bidding requirements for the ballpark's new grandstand.

In response to this recommendation, Council Member Bell moved, and Council Member Heath seconded the motion, to approve, by reference, the requested sole source exception resolution that had been prepared by city staff. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes, and the following resolution received unanimous approval.

RESOLUTION NUMBER 31 RES 9-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**SOLE SOURCE EXCEPTION TO COMPETITIVE BIDDING REQUIREMENTS
FOR THE MCCRARY BALLPARK IMPROVEMENTS PROJECT**

WHEREAS, McCrary Ballpark, which is owned by the City of Asheboro, is undergoing an improvement project that requires the purchase and installation of a Grandstand Structure and all appurtenant infrastructure; and

WHEREAS, Section 143-129(e)(6) of the North Carolina General Statutes provides that purchases of apparatus, supplies, materials, or equipment are exempt from the bidding process when:

- (A)** Performance and/or price competition for a product are not available;
- (B)** A needed product is available from only one source of supply; or
- (C)** Standardization or compatibility is the overriding consideration; and

WHEREAS, the city council must approve purchases made under the above-stated exemption (the “sole source” exemption) prior to the award of a contract; and

WHEREAS, the Grandstand and the Tnemec Paint are available from one supply source; and

WHEREAS, Rodgers Builders, Inc. is the preferred contractor for this supplier; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the governing board hereby approves the purchase, for a contract price of \$3,597,305.00, of a Grandstand Structure and all appurtenant infrastructure from Rodgers Builders Inc. as a sole source vendor in accordance with Section 143-129(e)(6) of the North Carolina General Statutes.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting on September 8, 2022.

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

ATTEST:

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

(ii) Award of Purchase Contract

Consistent with the preceding action, Mr. Leonard then recommended approval of the purchase contract received from Rodgers Builders, Inc. for the installation of the McCrary Ballpark grandstand and all appurtenant infrastructure for a contract price of \$3,597,305.00. Council Member Bell moved, and Council Member Burks seconded the motion, to adopt the staff recommendation and award the described purchase contract to Rodgers Builders, Inc. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

A copy of the approved purchase contract is on file in the city clerks’ office.

(iii) Corresponding General Fund Amendment

In light of the above-stated contract award, Finance Director Deborah Reaves presented and recommended adoption, by reference, of an ordinance to amend the general fund for fiscal year 2022-2023. In response to this recommendation, Council Member Bell moved, and Council Member Burks seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

58 ORD 9-22

**ORDINANCE TO AMEND
THE GENERAL FUND
FY 2022-2023**

WHEREAS, on August 26, 2022, the City of Asheboro received official notification that the City of Asheboro received a \$1 million dollar state grant for capital improvements or equipment at McCrary Ballpark detailed in the 2022 Appropriations Act.

WHEREAS, the City of Asheboro has received a donation of \$500,000 from Randolph County Government for McCrary Ballpark.

WHEREAS, the City of Asheboro would like to appropriate these funds toward the construction of a grandstand at McCrary Ballpark.

WHEREAS, the estimated cost of construction of the grandstand is estimated at \$3.6 million dollars.

WHEREAS, the City of Asheboro would like to appropriate fund balance in the amount of \$2.1 million dollars in order to proceed with executing a contract for the grandstand construction.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

Section 1: The following revenue line item be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-000-399.0000	Contribution from General Fund	2,100,000

Section 2: The following expense line item be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-620-574.6500	Contribution to McCrary Ballpark Improvements Fund	2,100,000

Adopted this the 8th day of September 2022.

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

ATTEST:

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

(iv) Corresponding McCrary Ballpark Improvements Fund Amendment

After the council’s adoption of the ordinance to amend the General Fund in connection with the purchase contract for the grandstand, Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the McCrary Ballpark Improvements Fund. Council Member Bell moved, and Council Member Heath seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

**ORDINANCE TO AMEND
THE MCCRARY BALLPARK IMPROVEMENTS FUND
FY 2022-2023**

WHEREAS, on August 26, 2022, the City of Asheboro received official notification that the City of Asheboro received a \$1 million dollar state grant for capital improvements or equipment at McCrary Ballpark detailed in the 2022 Appropriations Act.

WHEREAS, the City of Asheboro has received a donation of \$500,000 from Randolph County Government for McCrary Ballpark.

WHEREAS, the estimated cost of construction of the grandstand is estimated at \$3.6 million dollars

WHEREAS, the City of Asheboro would like to use the funds from the state grant and Randolph County Government along with an appropriation of \$2.1 million from City of Asheboro General Fund balance toward the construction of a grandstand at McCrary Ballpark.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

Section 1: The following revenue line Items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
65-000-300.0001	Contribution from General Fund	2,100,000
65-000-300.0000	Donations – Randolph County	500,000
65-000-301.0000	State Grant Proceeds	1,000,000
		<u>\$3,600,000</u>

Section 2: The following expense line item be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
65-000-403.9000-	Construction- Grandstands	3,600,000

Adopted this the 8th day of September 2022.

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

ATTEST:

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

(v) Purchase Contract for Playground, Play Surface, and All Appurtenances for the McCrary Ballpark

Mr. Leonard recommended that a contract for the purchase and installation of an inclusive playground, play surface, and all appurtenances for the McCrary Ballpark be awarded to Play and Park Structures. This contract is available

and compliant with North Carolina’s procurement laws through a group purchasing program known as the Keystone Purchasing Network. The contract price is not to exceed \$50,000.00.

Council Member Burks moved, and Council Member Swiers seconded the motion, to award the above-described contract to Play and Park Structures for a contract price that is not to exceed \$50,000.00. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes. A copy of the approved purchase contract is on file in the city clerk’s office.

(vi) Corresponding Budget Amendment for the Play and Park Structures Contract Award

After the contract award to Play and Park Structures, Ms. Reaves presented and recommended adoption, by reference, of the following budget amendment. In response to this recommendation, Council Member Burks moved, and Council Member Heath seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

60 ORD 9-22

**ORDINANCE TO AMEND
THE MCCRARY BALLPARK IMPROVEMENTS FUND
FY 2022-2023**

WHEREAS, the City of Asheboro has received a commitment from the Kiwanis Club of Asheboro for \$50,000 for the purchase of an inclusive playground for the McCrary Ballpark.

WHEREAS, upon receipt of the funds, the City of Asheboro would like to execute a contract to the purchase of a playground apparatus for the McCrary Ballpark.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

Section 1: The following revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
65-000-300.0000	Donations – Kiwanis	50,000

Section 2: The following expense line item be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
65-000-404.9000	Construction- Playground	50,000

Adopted this the 8th day of September 2022.

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

ATTEST:

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

(b) Asheboro Regional Airport Improvement Project

Mr. Leonard reported that a punch list is all that is left for the runway/taxiway lighting improvement project. Photographs of the improvements were included as part of the city engineer's presentation. The completion of all work and final approvals are anticipated by the end of September 2022.

No action was requested of the council during this portion of the meeting, and none was taken.

11. Proposed Traffic Improvements

(a) Sherwood Avenue and Lambert Drive Intersection

In response to safety concerns raised by residents, Mr. Leonard presented a map depicting a proposed 4-way stop at the intersection of Sherwood Avenue and Lambert Drive. This proposal was received in a positive manner by the elected officials.

Council Member Moffitt moved, and Council Member Bell seconded the motion, to direct city staff to draft an ordinance for a 4-way stop at the intersection of Sherwood Avenue and Lambert Drive. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

An ordinance will be presented for council consideration during the regular meeting on October 6, 2022.

(b) 4-hour Parking Limit – Sunset Avenue between the Railroad Right-of-Way and Church Street

In response to concerns and suggestions from stakeholders in the downtown area, Mr. Leonard presented a map depicting a proposed 4-hour parking limit on Sunset Avenue between the railroad right-of-way and Church Street. The proposal was received in a positive manner by the elected officials.

Council Member Heath moved, and Council Member Swiers seconded the motion, to direct city staff to draft an ordinance establishing a 4-hour parking limit on Sunset Avenue between the railroad right-of-way and Church Street. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

An ordinance will be presented for council consideration during the regular meeting on October 6, 2022.

12. Amendment of the FBO Agreement with Cardinal Air, LLC

The Asheboro Airport Authority has recommended amending the existing lease agreement with Cardinal Air, LLC, which is the fixed base operator ("FBO") at the Asheboro Regional Airport. The purpose of this amendment is to authorize the FBO to assume managerial/administrative responsibilities for the month-to-month hangar leases at the airport that are currently directly administered by the city.

In consideration of providing this additional service, the FBO would retain 35% of the rents collected from the month-to-month hangar tenants. Additionally, under the modified agreement, the city would expand the scope of the utilities paid by the city for the terminal building to include communication services in the building, such as internet connectivity.

In order to approve the proposed amendments to the FBO lease agreement, 30-day legal notice must be provided in compliance with the applicable statutory provisions. In order to meet this requirement and prepare for final council action on this issue

during the regular council meeting in November 2022, Mr. Leonard presented and recommended adoption, by reference, of the following resolution.

In response to this recommendation, Council Member Bell moved, and Council Member Heath seconded the motion, to adopt the following resolution by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

RESOLUTION NUMBER 32 RES 9-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**A RESOLUTION AUTHORIZING THE PUBLICATION OF NOTICE OF THE
INTENT TO APPROVE AMENDMENTS TO THE FIXED BASE OPERATOR
AGREEMENT AT THE ASHEBORO REGIONAL AIRPORT**

WHEREAS, Cardinal Air, LLC (“Cardinal Air”) is the fixed base operator (“FBO”) at the Asheboro Regional Airport (the “Airport”); and

WHEREAS, the current FBO agreement with Cardinal Air expires on April 30, 2025; and

WHEREAS, the Asheboro Airport Authority has recommended amending the FBO agreement with Cardinal Air to reflect the FBO’s willingness to assume administrative responsibilities (e.g., billing and lease administration) for aircraft hangars that are leased on a month-to-month basis; and

WHEREAS, the airport authority has also encouraged the city to broaden the scope of the services at the Airport for which the city makes direct payment in order to bring communication services such as internet access within the scope of services that are paid directly by the city; and

WHEREAS, the consideration to be provided by the city to Cardinal Air in exchange for the FBO assuming additional administrative duties with respect to month-to-month hangar rentals is that the FBO would receive thirty-five percent (35%) of the payments collected from month-to-month hangar rentals; and

WHEREAS, the Asheboro City Council finds that adopting the Asheboro Airport Authority recommendation will be in the best interest of the City of Asheboro.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the city clerk is instructed to publish, in compliance with Section 160A-272 of the North Carolina General Statutes, notice of the city council’s intent to authorize, during its regular meeting in November 2022, the amendment of the existing FBO agreement with Cardinal Air to reflect the above-stated contractual modifications.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on September 8, 2022.

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

ATTEST:

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

13. Two General Fund Budget Amendments

(a) Vehicle and Equipment Acquisition

Finance Director Deborah Reaves presented and recommended adoption, by reference, of an ordinance to amend the General Fund as indicated below. In response to this recommendation, Council Member Burks moved, and Council Member Moffitt seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

61 ORD 9-22

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, Vehicles and Equipment were ordered in fiscal year 2021-2022 with the anticipation that they be received on or before June 30, 2022.

WHEREAS, these vehicles and equipment were earmarked to be paid for out of funds from the June 2022 financing agreement.

WHEREAS, due to a variety of factors impacting the economic environment, vehicles and equipment were not received before June 30, 2022.

WHEREAS, the delay of receipt of vehicles and equipment in 2021-2022 will result in the revenue of debt service proceeds not matched against purchases in 2021-2022 to flow toward fund balance in the June 30, 2022 fiscal year end financial statements.

WHEREAS, an appropriation of fund balance for these vehicles and equipment in 2022-2023 is necessary since these expenses were not included in the 2022-2023 adopted expenditure budget.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

That the following revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-000-399.0000	Fund Balance Allocation	\$520,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-510-574.0000	Capital Outlay	225,000
10-565-574.0000	Capital Outlay	261,000
10-640-574.0000	Capital Outlay	34,000
		<u>\$520,000</u>

Adopted this the 8th day of September 2022.

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

ATTEST:

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

(b) Grant from Walmart

Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the General Fund as indicated below. Council Member Heath moved, and Council Member Bell seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

62 ORD 9-22

**ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023**

WHEREAS, the City of Asheboro Police Department was awarded a \$2000 grant from Walmart for community outreach and the City of Asheboro desires to the funds from this local grant in the Asheboro Police Department budget in the Community Resource expenditure line item.

WHEREAS, the City of Asheboro desires to amend the 2022-2023 budget as required by law to adjust for changes in revenues and expenditures.

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

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

That the following revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Change</u>
10-000-350.0001	Local Grants	2,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Change</u>
10-510-533.0002	Community Resource Supplies	2,000

Adopted this the 8th day of September, 2022.

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

ATTEST:

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

14. Public Hearing: A Potential Building Reuse Grant Application

Mayor Smith opened the public hearing on a potential building reuse grant application and recognized Kevin Franklin as the first speaker. Mr. Franklin, who is the president of the Randolph County Economic Development Corporation, described the details of a proposed economic development project with PEMMCO Manufacturing, Inc.

As part of his comments, Mr. Franklin asked the city council to adopt a resolution authorizing the submission of a building reuse grant application in support of an improvement project planned by PEMMCO Manufacturing, Inc. for its precision

machine shop in Asheboro. Rick Powell, who is the President of PEMMCO Manufacturing, Inc., also presented comments in support of the resolution.

When no other members of the public asked to be heard, Mayor Smith moved to the deliberative phase of the hearing.

Council Member Bell moved, and Council Member Swiers seconded the motion, to adopt the following resolution by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

RESOLUTION NUMBER 33 RES 9-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

RESOLUTION AUTHORIZING AND SUPPORTING THE SUBMISSION OF A BUILDING REUSE GRANT APPLICATION AS PART OF AN ECONOMIC DEVELOPMENT PROJECT WITH PEMMCO MANUFACTURING, INC.

WHEREAS, the North Carolina Department of Commerce administers grants and loans to units of local government such as the City of Asheboro (the “City”) to support economic development activity that will lead to the creation of new, full-time jobs; and

WHEREAS, PEMMCO Manufacturing, Inc. (“PEMMCO”) is a precision machining company located at 631 Veterans Loop Road in Asheboro; and

WHEREAS, due to consistent growth and the potential for additional large projects, PEMMCO has developed plans to improve its precision machine shop; and

WHEREAS, PEMMCO is proposing, over the course of the next two years, to invest no less than \$223,990 for improvements in real property; and

WHEREAS, in addition to retaining 110 full-time jobs, PEMMCO is committed to creating in Asheboro 18 new full-time jobs with an average annual wage of \$42,000; and

WHEREAS, in light of PEMMCO’s stated commitment to job creation, the City’s professional staff has joined with the Randolph County Economic Development Corporation to recommend that the municipal corporation submit an application for Building Reuse Grant funding in the amount of \$100,000; and

WHEREAS, on September 8, 2022, the Asheboro City Council conducted a properly advertised public hearing on the question of whether to submit the above-described grant application; and

WHEREAS, after considering the information presented during the public hearing, the governing board concurred with the recommendation to submit an application for Building Reuse Grant funding.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the governing board supports the job creation associated with PEMMCO’s proposed improvement project; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the governing board believes that, in addition to job retention and creation, the City’s participation in the proposed economic development project will increase the population, the taxable property base, and business prospects in the City; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that, for the above-stated reasons, the City is fully supportive of submitting a Building Reuse Grant application seeking \$100,000 in funding; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the mayor and the City's appointed officials are hereby authorized to execute the legal instruments necessary to successfully complete the above-described grant application process.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on September 8, 2022.

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

ATTEST:

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

15. Public Hearing: Proposed Economic Development Appropriations

This public hearing pertains to economic development appropriations to three non-profit entities: Randolph County Economic Development Corporation, Asheboro/Randolph Chamber of Commerce, and Downtown Asheboro Inc. These appropriations are not for either property-related activities or business location incentives.

However, due to conflict of interest provisions found in Section 14-234.3 of the North Carolina General Statutes, Mayor Smith and Council Member Heath disclosed their association with one or more of the listed non-profits and the resulting need for their recusal from participating and voting in connection with this agenda item. This disclosure and recusal request occurred prior to the opening of the advertised public hearing.

Council Member Bell moved, and Council Member Burks seconded the motion, to recuse Mayor Smith and Council Member Heath from participating or acting in any manner on the proposed appropriations to the listed non-profit entities. Council Members Bell, Burks, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes. With this vote, Mayor Smith and Council Member Heath were recused from participating in any manner in the meeting agenda item pertaining to the appropriation of funding to the above-listed non-profit entities.

Mayor Pro Tempore Moffitt then opened the public hearing on the proposed economic development appropriations. Finance Director Deborah Reaves was recognized as the first person to speak.

As part of the hearing, Ms. Reaves noted that the role of this public hearing is the required public hearing on economic development appropriations that are not for either property-related activities or business location incentives. The following list illustrates the activities funded by the economic development appropriations discussed during this public hearing.

- New industrial/manufacturing recruitment and site selection.
- State economic incentives information and assistance.
- Local youth and adult leadership training.
- Retail business development.
- Community and events promotion.
- Promotion of downtown through various media formats and public events.
- Creation and implementation of annual economic development plan through the Main Street America Four-Point approach to downtown revitalization.

The above-described services are provided through the combined activities of the Randolph County Economic Development Corporation, the Asheboro/Randolph

Chamber of Commerce, and Downtown Asheboro, Inc. The appropriations proposed for these entities for fiscal year 2022-2023 are as follows:

- Randolph County Economic Development Corporation - \$55,000
- Asheboro/Randolph Chamber of Commerce - \$125,000
- Downtown Asheboro, Inc. -\$120,000

Upon the conclusion of the finance director’s presentation, Mayor Pro Tem Moffitt invited comments from the public. When no one asked to speak, Mayor Pro Tem Moffitt closed the public hearing.

Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the economic development and tourism development fund for fiscal year 2022-2023. In response to this recommendation, Council Member Bell moved, and Council Member Burks seconded the motion, to adopt the following ordinance by reference.

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

63 ORD 9-22

**ORDINANCE TO AMEND THE ECONOMIC DEVELOPMENT & TOURISM
DEVELOPMENT FUND
FY 2022-2023**

WHEREAS, the annual expenditure appropriation for ongoing annual community support payments to various agencies that support and promote Economic Development and Quality of Life in Asheboro need to be amended to account for anticipated expenses in 2022-2023.

WHEREAS, the City of Asheboro desires to amend the 2022-2023 budget as required by law to adjust for changes in revenues and expenditures.

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

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

Section 1: That the following revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
72-000-371.0005	GF contribution for Chamber of Commerce	50,000
72-000-371.0006	GF contribution for Chamber of Commerce- DAI office support	25,000
72-000-371.0008	GF contribution for Chamber of Commerce / Venture Asheboro	50,000
72-000-371.0009	GF Contribution for Economic Development Corp.	55,000
72-000-371.0011	GF Contribution Downtown Asheboro Inc.	120,000
		<u>300,000</u>

Section 2: That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
72-000-840.9200	Chamber of Commerce	50,000
72-000-840.9201	Chamber of Commerce- Main Street / DAI Office Support	25,000
72-000-840.9203	Chamber of Commerce / Venture Asheboro	50,000
72-000-840.9400	Economic Development Corp.	55,000
72-000-840-9500	Downtown Asheboro Inc.	120,000
		<u>300,000</u>

Adopted this the 8th day of September, 2022.

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

ATTEST:

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

16. Upcoming Events and Items not on the Agenda

Mayor Smith and City Manager John Ogburn led a discussion of upcoming events for the city government and within the community. No council action was taken during this portion of the meeting.

There being no further business, the meeting was adjourned at 10:12 p.m.

Holly H. Doerr, CMC, NCCMC, City Clerk

David H. Smith, Mayor



TO: John Ogburn, *City Manager*

FROM: Jonathan Sermon, *Recreation Services Director*

DATE: September 27, 2022

SUBJECT: **Canada Geese** (also includes White-Fronted Geese) **& Duck Hunting Season Dates**

The Cultural & Recreation Services Department is requesting to be placed on the consent agenda for the October 6th City Council meeting. The request is for the annual approval of the Canada Geese (also includes White-Fronted Geese) & Duck hunting dates at Lake Reese.

The Recreation Services Department has offered Geese/Duck Hunting at Lake Reese for the last fourteen years after a short hiatus due to low interest. After a successful past fourteen years, the department would like to offer this activity at Lake Reese again in 2022.

Listed below are the proposed dates for the **2022 - 2023 Canada Geese** (also includes White-Fronted Geese) **& Duck** hunting season at Lake Reese.

NOVEMBER 12th, 14th, 17th
DECEMBER 17th, 19th, 22nd
JANUARY 21st, 23rd, 26th

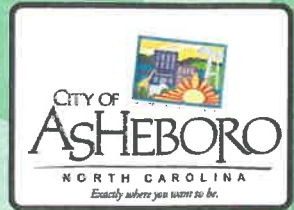
Hunting hours are ½ hour before sunrise to sunset. The Lake will be closed to other activities while hunting takes place. Hunters are required to call Lake Reese at least 24 hours in advance to reserve a space. If hunting reservations are not made, the Lake will operate on its regular winter schedule.

Halloween Downtown

SPECIAL EVENT CLOSURE ORDER

Duration: Beginning at 1000 hours on 10/29/22
Ending at 2200 hours on 10/29/22

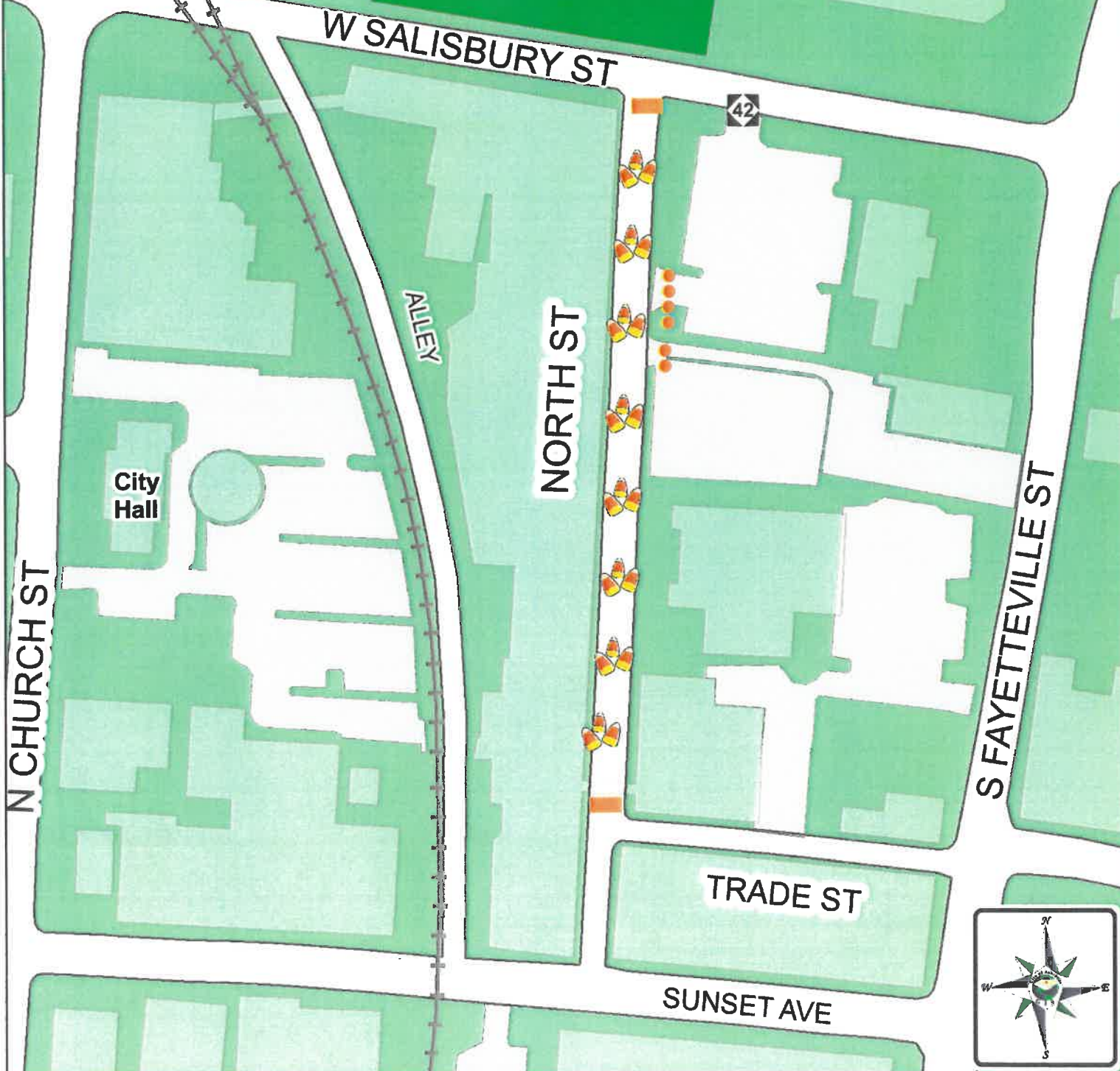
Zoo City Social District Ordinance Provisions:
Not Impacted

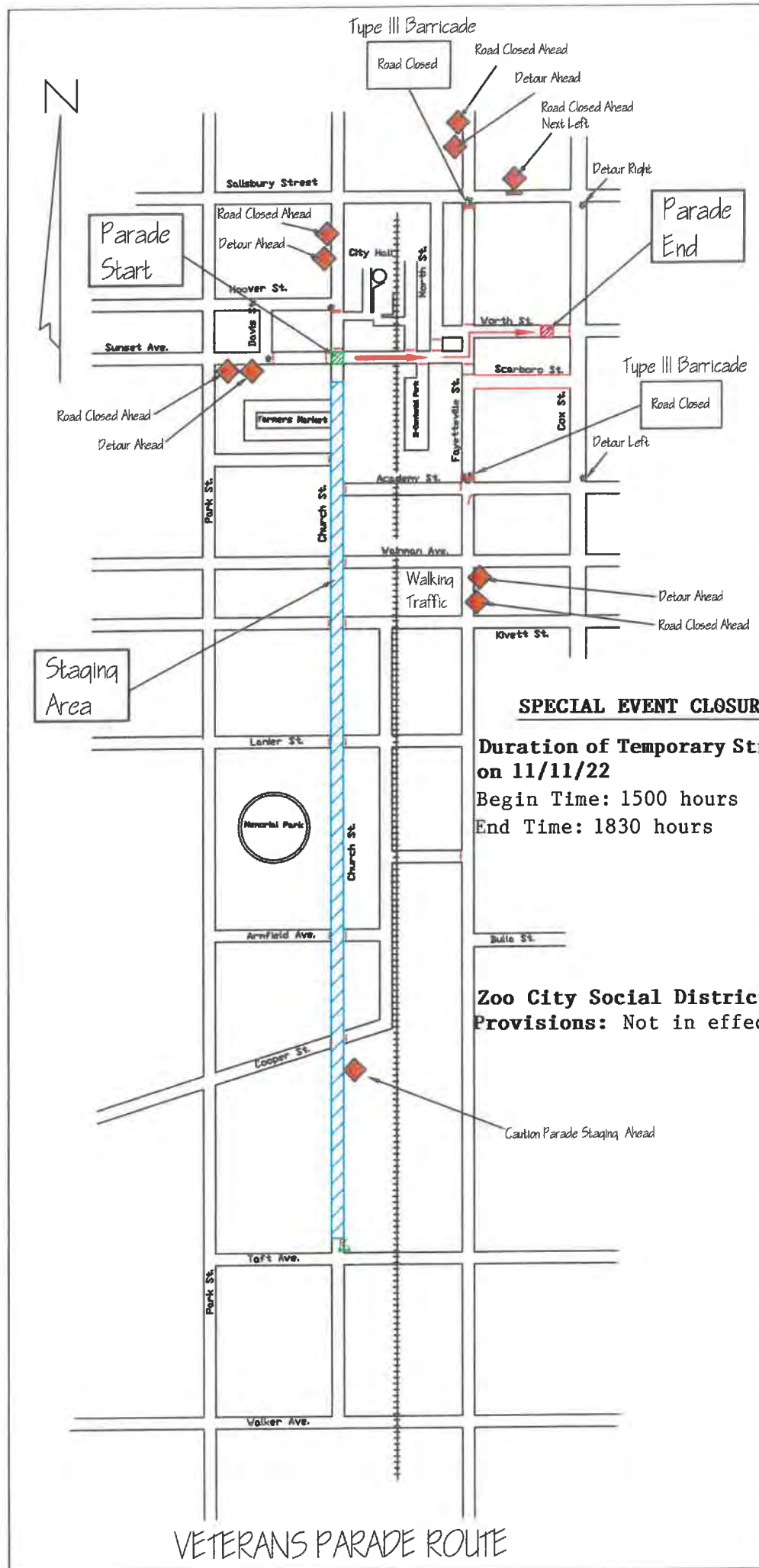


Candy



Road Closure





ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, the City of Asheboro wishes to purchase two score boards for Fields 1 and 2 at the Zoo City Sportsplex.

WHEREAS, the estimated amount of each scoreboard is expected not to exceed \$18,000.

WHEREAS, as of September 30, 2022, the City has allocated \$50,000 of fund balance in FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of \$36,000 from the General Fund to transfer to the Zoo City Sportsplex fund for this expense.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

That the following Revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-000-399.0000	Fund Balance Allocation	\$36,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-620-574.7400	Contribution to Zoo City Sportsplex Fund	\$36,000

Adopted this the 6th day of October 2022.

David H. Smith, Mayor

ATTEST:

Holly H Doerr, CMC, NCCMC, City Clerk

**ORDINANCE TO AMEND THE ZOO CITY SPORTSPLEX FUND
FY 2022-2023**

WHEREAS, the City of Asheboro wishes to purchase two score boards for Fields 1 and 2 at the Zoo City Sportsplex.

WHEREAS, the estimated amount of each scoreboard is expected not to exceed \$18,000.

WHEREAS, the City desires to recognize funding from the General Fund and appropriate for the expense in the Zoo City Sportsplex fund.

WHEREAS, the Randolph Asheboro YMCA has received a \$300K state grant for capital improvements or equipment at the Zoo City Sportsplex and they are wishing to direct its use for a playground at the Zoo City Sportsplex.

WHEREAS, the City desires to recognize funding from the YMCA and appropriate for the expense in the Zoo City Sportsplex fund.

WHEREAS, the City of Asheboro desires amend the 2022-2023 capital project fund budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

That the following Revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
74-000-370.0000	Contribution from General Fund	36,000
74-000-371.0000	Donations – YMCA	300,000
		\$336,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
74-000-400.9005	Miscellaneous Expense- Scoreboards	36,000
74-000-400.9006	Playground	300,000
		\$336,000

Adopted this the 6th day of October 2022.

David H. Smith, Mayor

ATTEST:

Holly H Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, the City of Asheboro contributes to a variety of agencies who provide services that enhance the quality of life of Asheboro Citizens.

WHEREAS, George Washington Carver Community Enrichment Center has requested funding for \$50,000 for an after school program.

WHEREAS, the amount requested to fund this program is \$50,000

WHEREAS, as of September 30, 2022, the City has allocated \$50,000 of fund balance in FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of \$50,000 for this expense.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

That the following Revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-000-399.0000	Fund Balance Allocation	\$50,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-620-522.0008	Prof. Services- GWCCEC After school program	\$50,000

Adopted this the 6th day of October 2022.

David H. Smith, Mayor

ATTEST:

Holly H Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, orders for Vehicles and Equipment placed in fiscal year 2021-2022 have been cancelled by the vendors due to supply issues.

WHEREAS, the Facilities Maintenance Department and the Police Department were impacted by these cancellations.

WHEREAS, both departments wish to place order for vehicles in 2022-2023 in to replace the ones that were approved for last year purchase but were cancelled.

WHEREAS, the City of Asheboro would like to be able to use proceeds from financing to pay for these vehicles.

WHEREAS, the cost for the vehicle budgeted in the Engineering Department that is to be financed has increased by \$1,300.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

That the following revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-000-360.0000	Proceeds from Lease Purchase	\$401,300

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-510-574.0000	Capital Outlay	310,000
10-575-574.0000	Capital Outlay	1,300
10-640-574.0000	Capital Outlay	90,000
		\$401,300

Adopted this the 6th day of October 2022.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, the Asheboro Library is conditioned with a gas boiler, chiller and six air handling units.

WHEREAS, the system is not fully functioning and is not controlling the humidity adequately for the library.

WHEREAS, the City would like to completely replace the system with a new HVAC type system that will require mechanical and electrical design services.

WHEREAS, the estimated cost of the professional services is \$26,900.

WHEREAS, as of September 30, 2022, the City has allocated \$50,000 of fund balance in FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of \$26,900 for this expense.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

That the following revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-000-399.0000	Fund Balance Allocation	\$26,900

That the following expense line items be increased:

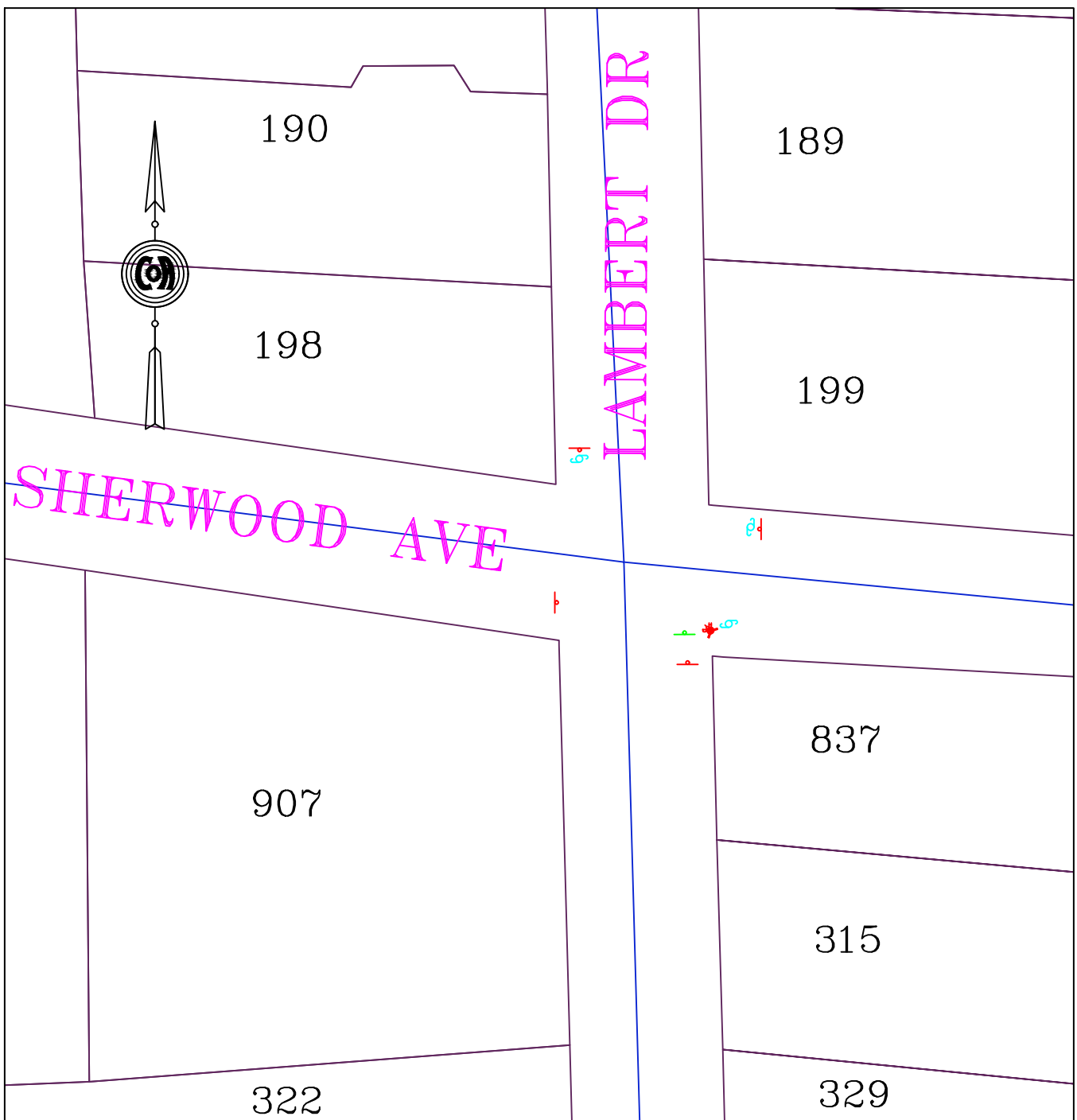
<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-630-522.0000	Professional Services – Library	\$26,900

Adopted this the 6th day of October 2022.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk



LEGEND

-  PROPOSED STOP SIGN
-  EXISTING STREET SIGN
-  EXISTING UTILITY POLES
-  EXISTING FIRE HYDRANT

NOTES

Stop Signs on Sherwood Ave
are existing

CITY OF ASHEBORO

ENGINEERING DEPARTMENT
146 NORTH CHURCH STREET
ASHEBORO, NORTH CAROLINA

Scale 1" = 60'

Date: 9-8-2022

Job #: 22019

PROPOSED INTERSECTION IMPROVEMENTS

Intersection of Lambert Dr
& Sherwood Ave Asheboro, NC

ORDINANCE NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

ORDINANCE DESIGNATING A STOP INTERSECTION

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

WHEREAS, Section 70.29(B) of the Code of Asheboro provides, in pertinent part, as follows:

Pursuant to instructions given to him by the City Council from time to time and entered in the council minute book, the City Manager shall:

(B) Cause all intersections designated as stop intersections when entered from designated streets to be posted accordingly. He shall then notify the City Clerk, who shall enter the description of such intersections and the streets of . . . (entry) thereto upon which stops are required in schedule 7 of § 72.02 (of the Code of Asheboro); and

WHEREAS, after receiving requests from residents for safety improvements at the intersection of Lambert Drive and Sherwood Avenue, the city engineering department recommended establishing this intersection as a stop intersection; and

WHEREAS, the Asheboro City Council wishes to implement the above-stated recommendation.

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

Section 1. The intersection of Lambert Drive and Sherwood Avenue is hereby declared to be an all-way stop intersection that shall be properly posted to cause all vehicles approaching the intersection from any direction to stop immediately before entering the intersection.

Section 2. The city manager is hereby instructed to cause the proper placement of stop signs at the intersection listed in Section 1 of this Ordinance in order to establish an all-way stop intersection at the intersection of Lambert Drive and Sherwood Avenue.

Section 3. The city clerk shall properly record the actions taken pursuant to this Ordinance in schedule 7 of Section 72.02 of the Code of Asheboro.

Section 4. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed to the extent that such ordinances conflict with the intent of the Asheboro City Council to create an all-way stop at the intersection designated herein.

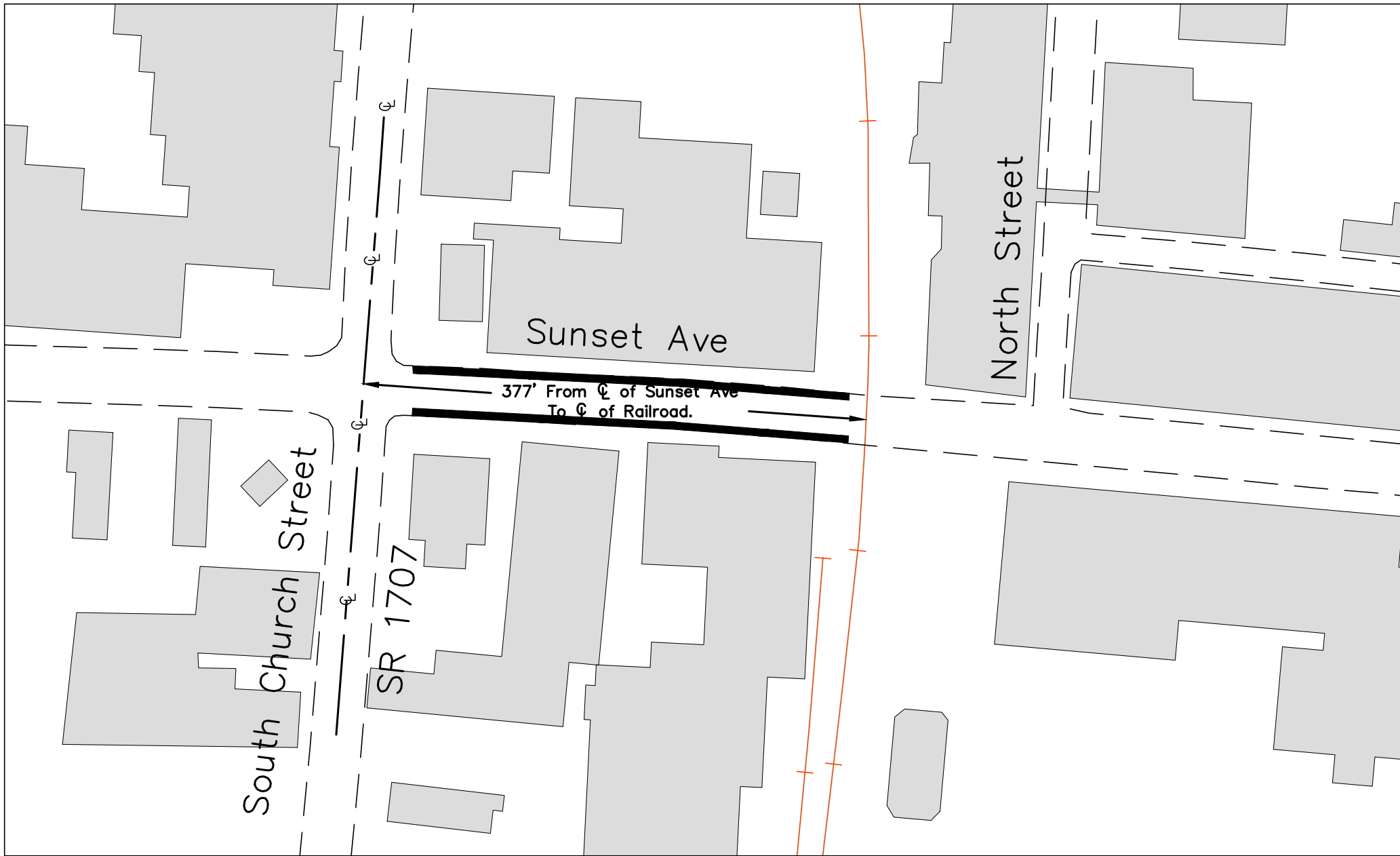
Section 5. This Ordinance shall take effect and be in force from and after the date of its adoption.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on October 6, 2022.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk



4 Hour Designation For Sunset Ave

City of Asheboro, North Carolina

Drawing By City of Asheboro Engineering Dept.

September, 2022

Scale 1" = 100'



RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION AWARDING TO CHARLES FOSTER VONCANNON
HIS SERVICE SIDE ARM UPON RETIREMENT FROM THE
ASHEBORO POLICE DEPARTMENT

WHEREAS, after rendering honorable and valuable service to the City of Asheboro and its citizens throughout the course of his Asheboro Police Department career, which began on May 1, 2003, Master Police Officer Charles Foster Voncannon will begin his retirement from employment with the city on November 1, 2022; and

WHEREAS, pursuant to and in accordance with Section 20-187.2 of the North Carolina General Statutes, the Asheboro City Council wishes to recognize and honor Officer Voncannon for his dedicated service to the city by awarding to him, at a minimal monetary cost, the service side arm that he carried at the time of his retirement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, effective November 1, 2022, in consideration of the combination of his dedicated service to the City of Asheboro and the payment to the city of \$1.00, Charles Foster Voncannon is to be awarded ownership of his city-issued service side arm (a Glock model 45 9mm with serial no. BLKC004 and three magazines) upon a determination by the police department command staff that Mr. Voncannon is eligible under the applicable federal and state laws to receive, own, or possess a firearm.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on October 6, 2022.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

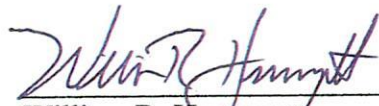
Huneycutt, Parsley & Taylor, CPAs, PLLC

221 South Fayetteville Street, Asheboro, North Carolina 27203

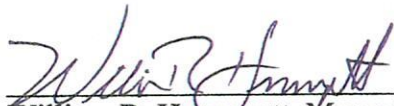
October 3, 2022

Mr. David Smith, Mayor and Members
of the City Council of the City of Asheboro
146 North Church Street
Asheboro, N.C. 27203

This letter is to give notice to the City of Asheboro that the firm of William R. Huneycutt, CPA, PLLC will be merging its practice with Huneycutt, Parsley, and Taylor, CPAs, PLLC as of September 30, 2022. The firm of William R. Huneycutt, CPA, PLLC withdraws from the contract to audit the City of Asheboro for the year ended June 30, 2022 and affirms that no amounts are owed to the firm for any work in progress. The firm of Huneycutt, Parsley, and Taylor, CPAs, PLLC will honor the existing contract with William R. Huneycutt, CPA, PLLC to audit the City of Asheboro for the year ended June 30, 2022 in the amount of \$36,800. All parties by signing below accept this amendment to the audit contract for the year ended June 30, 2022.


William R. Huneycutt

Date 10/3/2022


William R. Huneycutt, Managing Partner

Date 10/3/2022

David Smith, Mayor

Date _____

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Deborah Reaves, Finance Officer

Date _____

RESOLUTION NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**A RESOLUTION STATING THE INTENT OF THE ASHEBORO CITY
COUNCIL TO LEASE HANGAR SPACE AT THE ASHEBORO
REGIONAL AIRPORT TO THE CIVIL AIR PATROL**

WHEREAS, the Civil Air Patrol was incorporated under a Special Act of Congress that was approved on July 1, 1946 (Public Law 476, 79th Congress); and

WHEREAS, in preparation for the expiration of the existing hangar lease agreement at the end of the current calendar year, the Civil Air Patrol has requested the continuation of its lease of hangar space at the Asheboro Regional Airport for another 3-year term at the current rental rate of One Dollar (\$1.00) per year; and

WHEREAS, the hangar space currently leased to the Civil Air Patrol has been continuously used by its Randolph Composite Squadron for a significant number of years; and

WHEREAS, this hangar space will not be needed by the city during the requested term of the lease.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that it intends to approve a lease agreement allowing the continued use of the existing Civil Air Patrol hangar space at the Asheboro Regional Airport for a new 3-year lease term at a rental rate of One Dollar (\$1.00) per year; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the city clerk is hereby directed to publish in *The Courier Tribune* the statutorily mandated 30-day legal notice of the city council's intent to authorize a new hangar lease agreement with the Civil Air Patrol during the governing board's regular meeting on November 10, 2022.

**[The remainder of this page has been intentionally left blank.
The signature blocks for this Resolution are on the next page.]**

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on October 6, 2022.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on August 29, 2022 (September meeting)

The Asheboro ABC Board met on Monday, August 29, 2022, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC. Present at the board meeting were Board Member Steve Knight, Board Member Bob Morrison and General Manager Rodney Johnson (GM). A quorum being present, Bob Morrison called the meeting to order for the transaction of business and business transacted as follows:

Bob Morrison 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.

Board Minutes from the August 8, 2022, meeting were reviewed and approved by the Board. Per the Chair, Brooke Schmidly, the GM signed the minutes in the Chair's place.

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

Monthly drafts and EFT payments from August and September will be reviewed at the October meeting.

The ABC Commission continues to allocate certain hard-to-get products to only the larger ABC boards across the state in violation of NCGS 18B-204(a1), which prohibits discrimination when distributing spirituous liquor. Bob Morrison will contact Mayor Smith and discuss the issue with him and report back at the October board meeting.

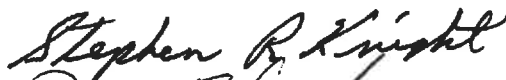
Sales statistics for the months of August and September will be reviewed at the regular October board meeting.

The next regular Asheboro ABC Board meeting will be held Monday, October 3, 2022, at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Rodney Johnson, GM, and Approved by the Board 10-3-22


GM






Requests by Darren Lucas concerning property located at 1223 Crestview Church Road (Randolph County Parcel Identification Number 7669289834)

RZ-22-10 and SUB-22-05: Request to rezone property located at 1223 Crestview Church Road from R10 (CZ) Medium-Density Residential (Conditional Zoning) to an amended R10 (CZ) Medium-Density Residential (Conditional Zoning) to allow a residential Planned Unit Development and approve a subdivision sketch design

Planning Board Recommendation and Staff Report

Planning Board Recommendation & Comments to City Council

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

Case # **RZ-22**
 -10

Date 9/6/2022 PB

Applicant Darren
 Lucas

Legal Description

The property of Falling Oak Investments, LLC located at 1223 Crestview Church Rd., at the northern intersection of Zoo Pkwy., totaling approximately 9.921 acres +/- and more specifically defined by Randolph County Parcel Identification Number 7669289834.

Requested Action Modify an existing R10 (CZ) Medium-Density Conditional Zoning District for the purpose of a Residential Planned Unit Development

Existing Zone R10 (CZ)

Land Development Plan See rezoning staff report

Planning Board Recommendation

Deny

Reason for Recommendation

The Planning Board concurred with staff reasoning presented during its meeting on 9/6/22. The Board reviewed an earlier version of the application which proposed 58 lots and dwelling units.

Planning Board Comments

Rezoning Staff Report

RZ Case # RZ-22-10

Date 10/6/22 City Council

General Information

Applicant Darren Lucas

Address 3010 High Pine Church Road

City Asheboro NC 27203

Phone 336-669-7683

Location 1223 Crestview Church Road

Requested Action Modify an existing R10 (CZ) Medium-Density Conditional Zoning District for the purpose of a Residential Planned Unit Development

Existing Zone R10 (CZ)

Existing Land Use Undeveloped

Size 9.921 acres +/-

Pin # 7669289834

Applicant's Reasons as stated on application

Townhomes

Surrounding Land Use

North Low-Density Residential

East Low-Density Residential

South Low-Density Residential

West Low-Density Residential/Undeveloped

Zoning History RZ-18-06: Property was rezoned from R15 to R10 (CZ) for Residential Planned Unit Development consisting of 36 units.

Legal Description

The property of Falling Oak Investments, LLC located at 1223 Crestview Church Rd., at the northern intersection of Zoo Pkwy., totaling approximately 9.921 acres +/- and more specifically defined by Randolph County Parcel Identification Number 7669289834.

Analysis

See Attachment 1.

Attachment 1: Staff Analysis for RZ-22-10 (Zoocrest Townhomes) – Updated 9/30/22

1. The applicant revised the request following the Planning Board meeting on September 6, 2022. The staff report presented to the Planning Board is Attachment 2 of this report. The proposal now seeks an R10 (CZ) district to allow 44 attached single-family dwellings on 44 lots. Townhomes are reviewed as Planned Unit Developments under the code. Units shown are single-story, approximately 1,000 s.f. in size, and include a one car garage. Each lot contains space for 3 vehicles; no additional parking is proposed. Lots would be served by privately maintained streets. Common elements incorporating open space preservation and recreational space are provided. Solid waste disposal would occur via 3 dumpsters shown to be screened from public street view. Landscaping would be preserved or installed adjacent to Zoo Pkwy and Crestview Church Rd., along the project's perimeter, and within the development per the plans provided.
2. The conditional zoning process allows an applicant to propose a project-specific zoning district that establishes approval conditions and site development requirements. The project-specific zoning district is allowed to diverge from the zoning ordinance's predetermined land use requirements.
3. The property is outside the city limits. The project proposes to connect to city water and sewer; the site plan shows privately maintained sewer and publicly maintained water extended into the property to serve the lots. Connection to city services will require annexation consistent with City policies.
4. Zoo Parkway (NC 159) is a state-maintained major thoroughfare. Crestview Church Road is a state-maintained minor thoroughfare. The US64 Bypass is approximately 0.75 mile from the property; travel distance to access the bypass is about 1.9 miles.
5. The immediate area primarily consists of low to medium density single-family residential uses. Institutional uses and multi-family residential uses exist to the south. There is also industrial zoning to the south along Zoo Parkway. The Jellystone Park Campground is approximately 0.3 mile southwest on Crestview Church Road. The Zoo City Sportsplex is approximately 0.3 mile southeast on Zoo Parkway.
6. In 2018, City Council rezoned the subject property from R15 to R10 (CZ) and approved a Planned Unit Development with 36 attached single-family townhome lots accessed by new public streets. Units proposed at that time ranged in size between approximately 1400 and 1600 s.f. and included two-vehicle garages.
7. Conventional subdivisions in the R10 district require a minimum lot size of 10,000 SF per lot for single-family dwellings or 15,000 SF per lot for two-family (duplex) dwellings; under the code, generally the maximum number of lots permitted is similar for Planned Unit Developments and conventional subdivisions.
8. The R10 district is "intended to provide regulations which will produce 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.
9. The LDP Proposed Land Use Map (2015) identifies the property as appropriate for Neighborhood Residential development which should include "new neighborhoods of similar density" to the surrounding neighborhoods "to provide a greater sense of community."
10. The proposed development density is approximately 5 dwellings per acre when accounting for land area necessary for street right-of-way to serve the lots. In the R10 district, the maximum possible dwelling per acre is 5.8 for a project consisting of duplex dwellings when no land area is necessary for street right-of-way; for single-family projects, that maximum possible density is reduced to 4.3 units per acre.

Rezoning Staff Report

RZ Case # RZ-22-10

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 Neighborhood Residential

Small Area Plan Central

Growth Strategy Map Designation Secondary Growth

LDP Goals/Policies Which Support Request

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

Checklist Item 5: Complies with Growth Strategy Map

Checklist Item 6: Existing infrastructure is adequate to support the desired zone (*water, sewer, roads, schools, etc.*).

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-22-10

LDP Goals/Policies Which Do Not Support 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 10: Rezoning is not consistent with land category descriptions

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

Since original adoption of the Land Development Plan (LDP) in 2000, this area has seen significant change. Construction and opening of the US 64 Bypass and Zoo Connector, the building of the Zoo City Sportsplex, development of the Jellystone Park Campground, continued growth of the Crossroads Retirement Community, and other investments have altered the landscape.

The LDP's "Neighborhood Residential" designation encourages new residential development to be comparable in density to surrounding neighborhoods. The rezoning requested proposes a project density higher than the immediate surrounding area but the density is comparable to the Parkway South townhome development and to a lesser extent the Cross Road Retirement community. Staff believes that the reduction in proposed project density from the initial application is important in order for the district to more closely resemble development outcomes envisioned by the LDP. In addition, the housing proposed offers an important option to have in the community and the inclusion of sidewalks and open space preservation advances other LDP objectives.

Considering all factors, staff believes approval of the amended request to be reasonable and consistent with the Asheboro Land Development Plan.

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

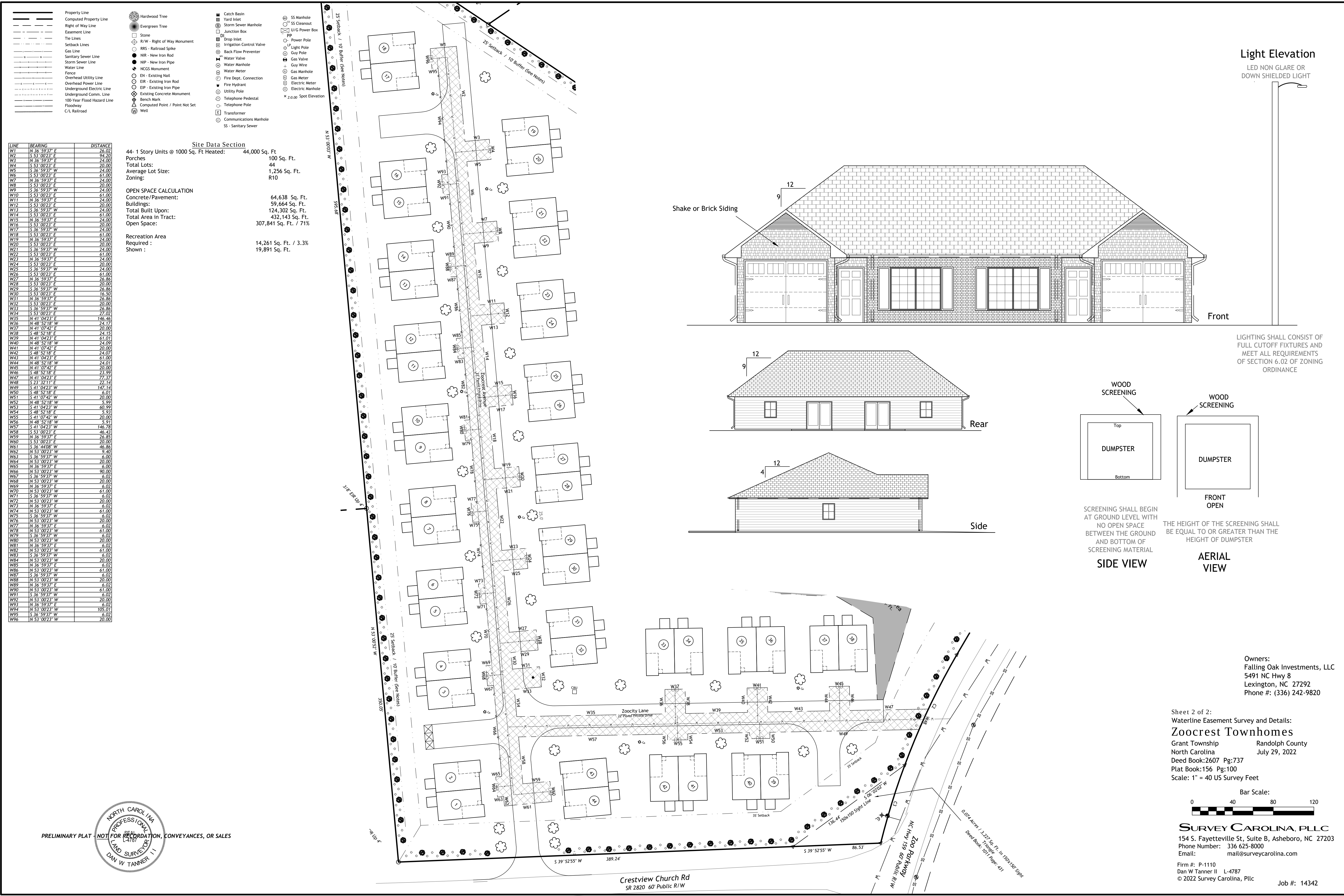
Rezoning Staff Report

Suggested Conditions for Conditional Zoning applications (subject to change prior to final report)

- (A) The use approved shall be a Residential Planned Unit Development with a total of 44 dwelling units on 44 lots.
- (B) All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.
- (C) Enclosure of concrete pads or other additions to the rear of dwellings shall not be considered a modification requiring City Council review provided such additions are located on a recorded lot.
- (D) Maintenance of all recreation areas, any utilities not publicly maintained, roads, and drainage facilities that are not specifically labeled on the approved site plan as publicly owned and maintained shall be the responsibility of the property owner and any successors in interest.
- (E) Any water meter located outside the public right-of-way shall be located within a City of Asheboro waterline easement. Surveying of any required city easements shall be the responsibility of the property owner.
- (F) Installation of traffic and street signs within the development shall be the responsibility of the developer.
- (G) If solid waste disposal facilities as shown on the site plan are deemed to be inadequate, the property owner shall be responsible for ensuring that additional facilities or measures are installed. Any such facilities shall be consistent with city policies and codes.
- (H) Landscaping, including street trees, front yard landscaping, and perimeter buffering shall be installed consistent with the details and specifications shown on the site plan.
- (I) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the applicant shall submit documentation detailing the following approvals:
 - i) Driveway permit from NCDOT
 - ii.) Permitting from NC Department of Environmental Quality
- (J) Prior to the issuance of a zoning compliance permit, plans concerning water, including provisions for fire hydrants, and sanitary sewage that complies with city policies, shall be submitted. Surveying of any required city easements shall be the responsibility of the property owner.
- (K) Prior to the issuance of a zoning compliance permit, the applicant shall submit a site plan reflecting any revisions necessary to comply with city codes and conditions of approval.
- (L) All dwellings shall be located on a subdivided lot and recorded in the public registry in accordance with the city's land development requirements.
- (M) 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 Zoning in the chain of title for the Zoning Lot.

13. Proposed Use: Residential Planned Unit Development
14. Use will meet all City of Asheboro performance standards

Job #: 14342



LINE	BEARING	DISTANCE
W1	N 36° 59'37" E	26.02
W2	S 53° 00'23" E	94.20
W3	N 36° 59'37" E	24.00
W4	S 53° 00'23" E	20.00
W5	S 36° 59'37" W	24.00
W6	S 53° 00'23" E	61.00
W7	N 36° 59'37" E	24.00
W8	S 53° 00'23" E	24.00
W9	S 36° 59'37" W	24.00
W10	S 53° 00'23" E	61.00
W11	N 36° 59'37" E	24.00
W12	S 53° 00'23" E	20.00
W13	S 36° 59'37" W	24.00
W14	S 53° 00'23" E	61.00
W15	N 36° 59'37" E	24.00
W16	S 53° 00'23" E	20.00
W17	S 36° 59'37" W	24.00
W18	S 53° 00'23" E	61.00
W19	N 36° 59'37" E	24.00
W20	S 53° 00'23" E	20.00
W21	S 36° 59'37" W	24.00
W22	S 53° 00'23" E	61.00
W23	N 36° 59'37" E	24.00
W24	S 53° 00'23" E	20.00
W25	S 36° 59'37" W	24.00
W26	S 53° 00'23" E	61.00
W27	N 36° 59'37" W	26.86
W28	S 53° 00'23" E	20.00
W29	S 36° 59'37" W	26.86
W30	S 53° 00'23" E	16.50
W31	N 36° 59'37" E	26.86
W32	S 53° 00'23" E	20.00
W33	S 36° 59'37" W	26.86
W34	S 53° 00'23" E	22.00
W35	N 41° 04'23" E	146.46
W36	N 48° 52'18" W	24.17
W37	N 41° 07'42" E	20.00
W38	S 48° 52'18" E	24.15
W39	N 41° 04'23" E	61.01
W40	N 48° 52'18" W	24.09
W41	N 41° 07'42" E	20.00
W42	S 48° 52'18" E	24.07
W43	N 41° 04'23" E	61.00
W44	N 48° 52'18" W	24.01
W45	N 41° 07'42" E	20.00
W46	S 48° 52'18" E	23.99
W47	N 41° 04'23" E	77.37
W48	S 33° 22'14" E	22.14
W49	S 41° 04'23" W	147.14
W50	S 48° 52'18" E	6.07
W51	S 41° 07'42" W	20.00
W52	N 48° 52'18" W	5.99
W53	S 41° 04'23" W	60.99
W54	S 48° 52'18" E	5.93
W55	S 41° 07'42" W	20.00
W56	N 48° 52'18" W	5.91
W57	S 41° 04'23" W	146.78
W58	S 53° 00'23" E	46.43
W59	S 53° 00'23" E	26.85
W60	S 53° 00'23" E	20.00
W61	S 36° 44'08" W	46.86
W62	N 53° 00'23" W	5.40
W63	S 36° 59'37" W	6.00
W64	N 53° 00'23" W	20.00
W65	N 36° 59'37" E	6.00
W66	N 53° 00'23" W	90.00
W67	S 36° 59'37" W	6.02
W68	N 53° 00'23" W	20.00
W69	N 36° 59'37" E	6.02
W70	N 53° 00'23" W	61.00
W71	S 36° 59'37" W	6.02
W72	N 53° 00'23" W	20.00
W73	N 36° 59'37" E	6.02
W74	N 53° 00'23" W	61.00
W75	S 36° 59'37" W	6.02
W76	N 53° 00'23" W	20.00
W77	N 36° 59'37" E	6.02
W78	N 53° 00'23" W	61.00
W79	S 36° 59'37" W	6.02
W80	N 53° 00'23" W	20.00
W81	N 36° 59'37" E	6.02
W82	N 53° 00'23" W	61.00
W83	S 36° 59'37" W	6.02
W84	N 53° 00'23" W	20.00
W85	N 36° 59'37" E	6.02
W86	N 53° 00'23" W	61.00
W87	S 36° 59'37" W	6.02
W88	N 53° 00'23" W	20.00
W89	N 36° 59'37" E	6.02
W90	N 53° 00'23" W	61.00
W91	S 36° 59'37" W	6.02
W92	N 53° 00'23" W	20.00
W93	N 36° 59'37" E	6.02
W94	N 53° 00'23" W	105.01
W95	S 36° 59'37" W	6.02
W96	N 53° 00'23" W	20.00

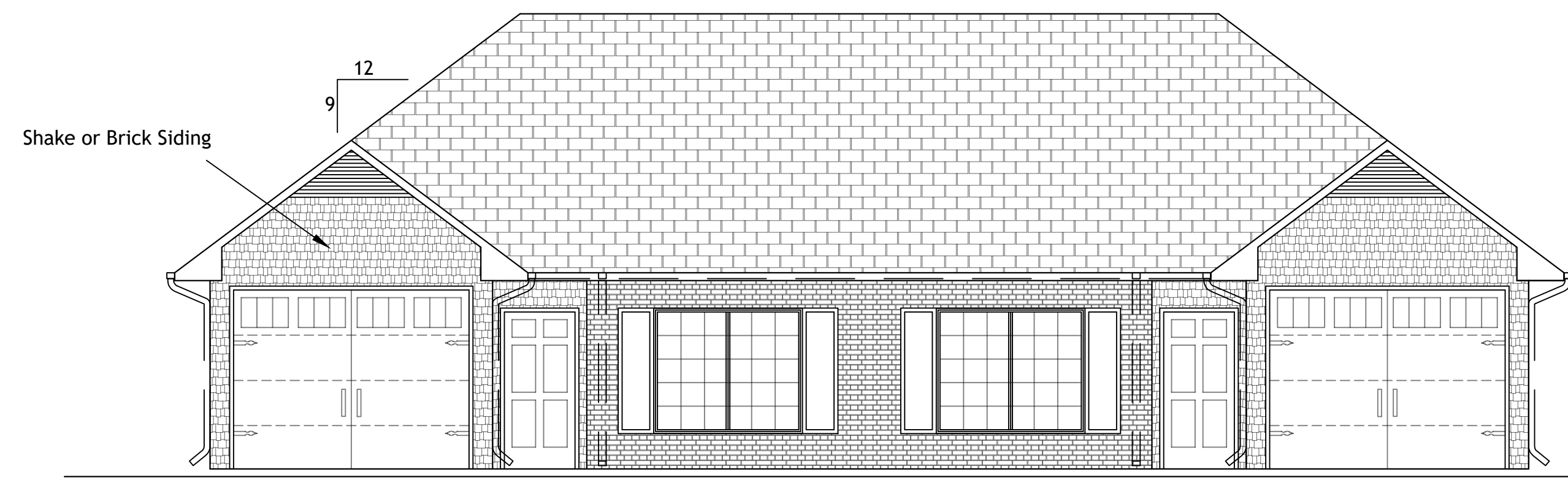
Site Data Section
44- 1 Story Units @ 1000 Sq. Ft Heated: 44,000 Sq. Ft.
Porches: 100 Sq. Ft.
Total Lots: 44
Average Lot Size: 1,256 Sq. Ft.
Zoning: R10

OPEN SPACE CALCULATION
Concrete/Pavement: 64,638 Sq. Ft.
Buildings: 59,664 Sq. Ft.
Total Built Upon: 124,302 Sq. Ft.
Total Area in Tract: 432,143 Sq. Ft.
Open Space: 307,841 Sq. Ft. / 71%

Recreation Area
Required : 14,261 Sq. Ft. / 3.3%
Shown : 19,891 Sq. Ft.

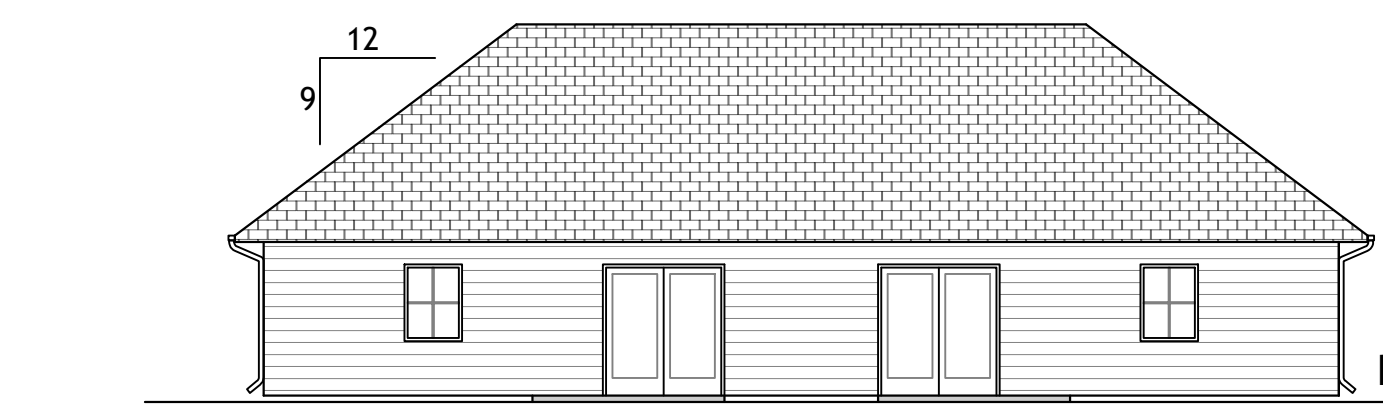
Light Elevation

LED NON GLARE OR
DOWN SHIELDED LIGHT

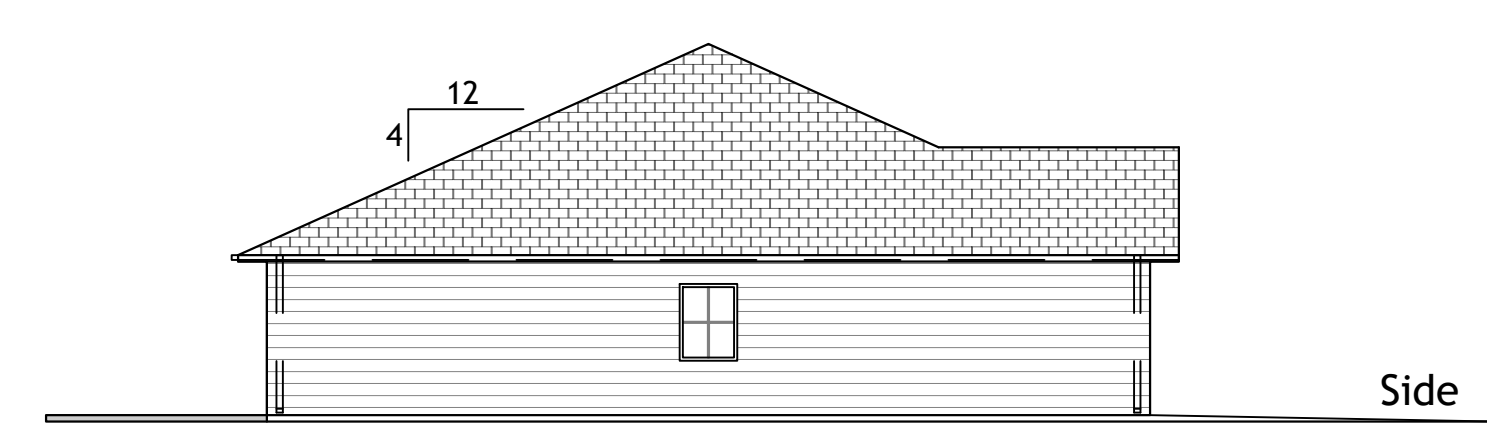


Front

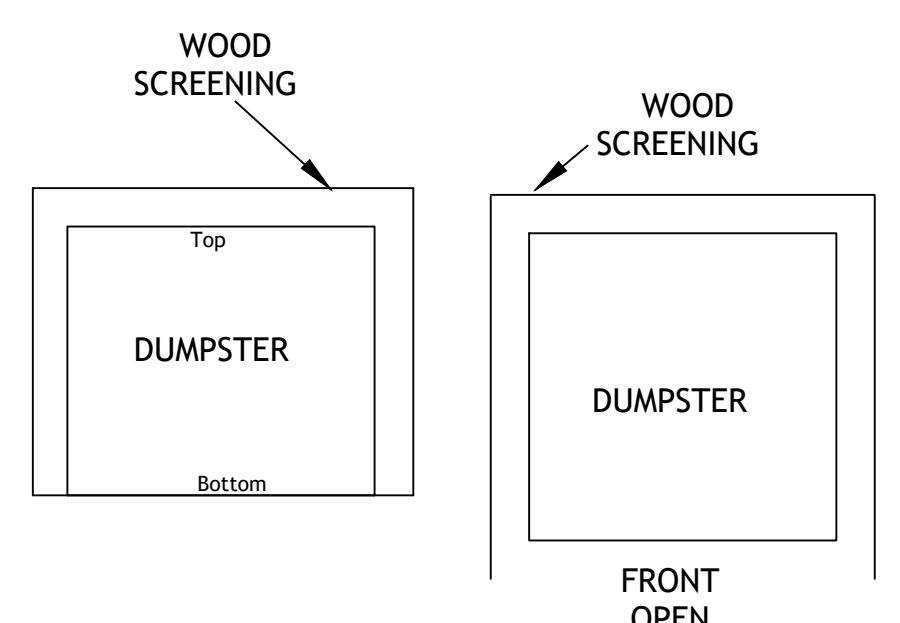
LIGHTING SHALL CONSIST OF
FULL CUTOFF FIXTURES AND
MEET ALL REQUIREMENTS
OF SECTION 6.02 OF ZONING
ORDINANCE



Rear



Side



SCREENING SHALL BEGIN
AT GROUND LEVEL WITH
NO OPEN SPACE
BETWEEN THE GROUND
AND BOTTOM OF
SCREENING MATERIAL

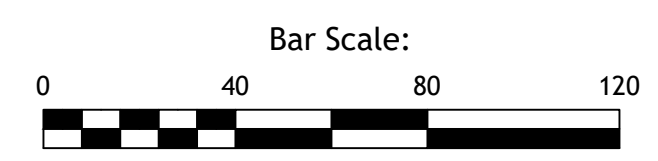
SIDE VIEW

THE HEIGHT OF THE SCREENING SHALL
BE EQUAL TO OR GREATER THAN THE
HEIGHT OF DUMPSTER

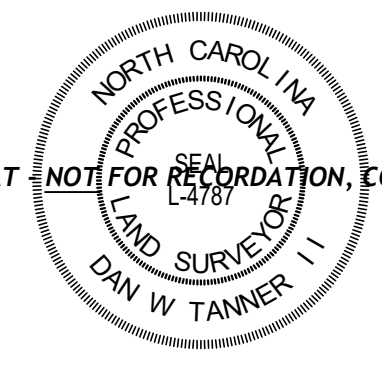
AERIAL VIEW

Owners:
Falling Oak Investments, LLC
5491 NC Hwy 8
Lexington, NC 27292
Phone #: (336) 242-9820

Sheet 2 of 2:
Waterline Easement Survey and Details:
Zoocrest Townhomes
Grant Township Randolph County
North Carolina July 29, 2022
Deed Book:2607 Pg:737
Plat Book:156 Pg:100
Scale: 1" = 40 US Survey Feet



SURVEY CAROLINA, PLLC
154 S. Fayetteville St, Suite B, Asheboro, NC 27203
Phone Number: 336 625-8000
Email: mail@surveycarolina.com
Firm #: P-1110
Dan W Tanner II L-4787
© 2022 Survey Carolina, PLLC
Job #: 14342



PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

SUBDIVISION STAFF REPORT

Sketch Design

CASE # SUB-22-05

Date 10/6/2022 City Council

GENERAL INFORMATION

Subdivision Name Zoocrest Townhomes
Requested Action Subdivision Sketch Design
Applicant Darren Lucas
Address 3010 High Pine Church Road
Phone 336-669-7683
Location 1223 Crestview Church Road (at intersection of Zoo Pkwy.)

PARCEL INFORMATION

PIN 7669289834

Size 9.921 acres +/-

Number of Lots 44 + common area

Existing Zoning R10 (CZ)

Average Lot Size 1,256 SF

Existing Land Use Undeveloped

Surrounding Land Use

North Low-Density Residential

East Low/Medium-Density Res.

South Low-Density Residential

West Low/Medium-Density Res.

LAND DEVELOPMENT PLAN

Growth Strategy Map Secondary Growth

Proposed Land Use Map Neighborhood Residential

Small Area Plan Map Central

Identified Activity Center? No

Development Issues

1. The applicant is also requesting to amend the existing R10 (CZ) Medium-Density Conditional Zoning district, for a Residential Planned Unit Development. This is required to be approved for the approval of the sketch design.
2. The applicant is proposing a total of 44 dwelling units on 44 lots. The units are attached single-family units. There are a total of 22 structures.
3. One entrance from Crestview Church Road is proposed to serve the development. All driveways access internal private streets.
4. As proposed, the homeowners' association will be responsible for maintaining all public streets within the development, trash pickup, and sewer service. A public waterline, to be maintained by the City of Asheboro, is proposed.

SUBDIVISION STAFF REPORT

Sketch Design

Engineering The updated plan was routed to Engineering. As of September 28th, no corrections or comments have been noted.

Public Works Public Works recommends having an additional dumpster, and an additional street light closer to Crestview Church Road. They will need to review engineered drawings on the proposed water system with the Preliminary Plat, along with detail on hydrant locations and water line sizes.

Planning

1. 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.
2. A final subdivision plat must be recorded prior to the issuance of certificate of occupancy(s).
3. Since the initial proposal, the applicant has added sidewalk to extend to the recreation area and right-of-way of Crestview Church Road. Details, including surfacing material and width of the walkway serving the recreation area, will need to be provided.

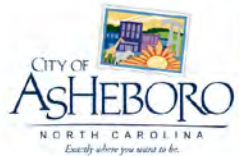
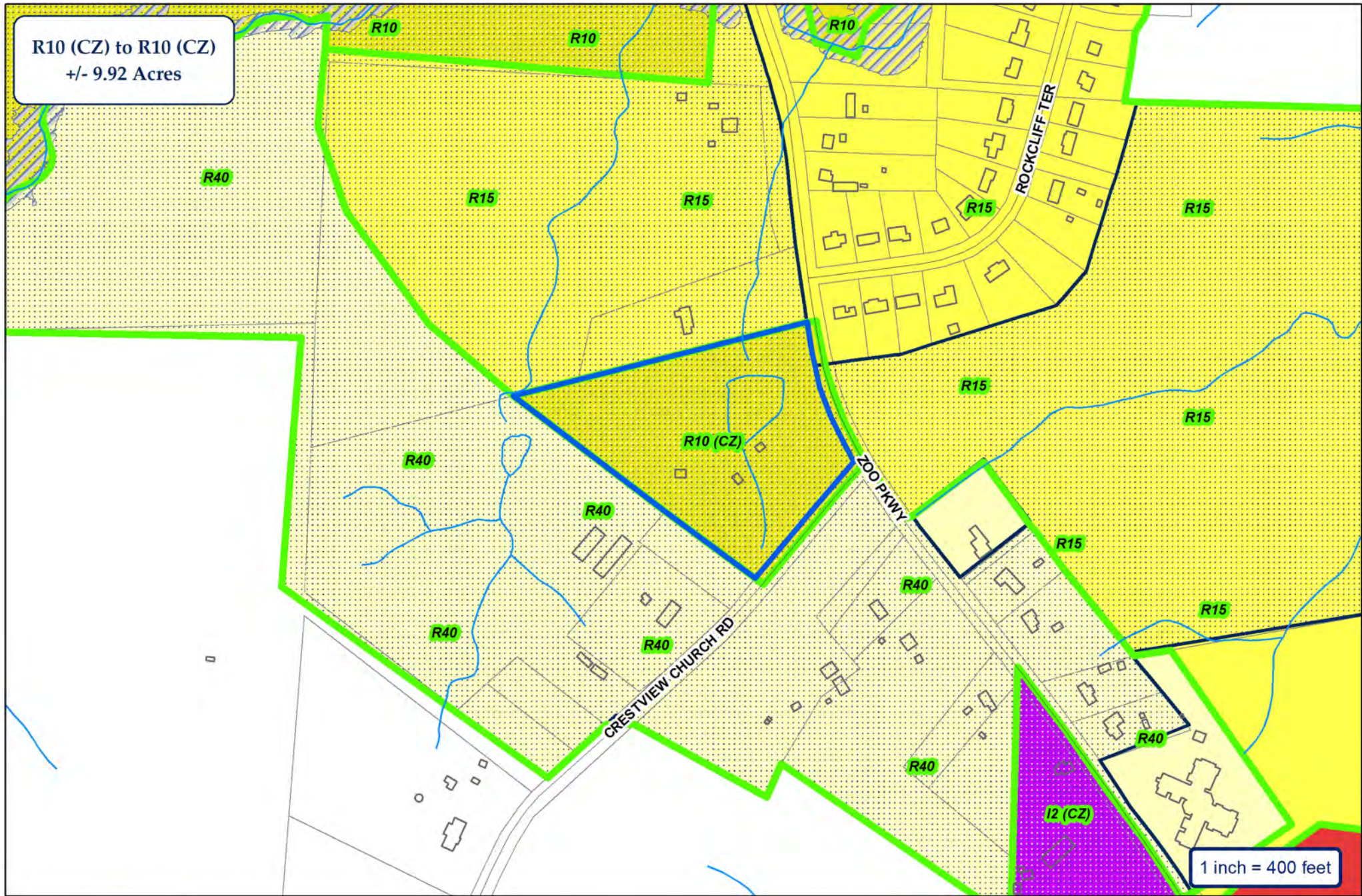
Other

1. The plan was routed to the NC Department of Transportation, Randolph County Schools, and the US Postal Service (USPS). USPS confirmed the need for one community mailbox. NCDOT indicated driveway permitting is required but the agency is not anticipating requiring roadway improvements.
2. Hydrant locations will need to be shown on the Preliminary Plat, and approved by Asheboro Fire Department.
3. Building Inspections indicated they will need to review engineered drawings and plans on the proposed private sewer prior to building permitting. If rock is encountered, revised engineering and as-built plans may be required.
4. Water Resources indicated that private sewer will be acceptable as long as it is built to the state plumbing code. We will need sealed/certified engineering plans to confirm the appropriate size lines and connection. If an 8" line is required, the City will require an 8" sewer main extension across Zoo Parkway with manhole at the property line. City maintenance will end at the manhole.

Staff Recommendation Staff's recommendation is to approve subject to the above department comments.

Planning Board Recommendation Based on a technical review of the initial plan, the Planning Board recommended approval subject to the applicant completing any outstanding items.

R10 (CZ) to R10 (CZ)
+/- 9.92 Acres

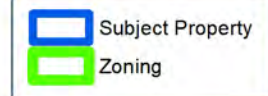


City of Asheboro Planning & Zoning Department

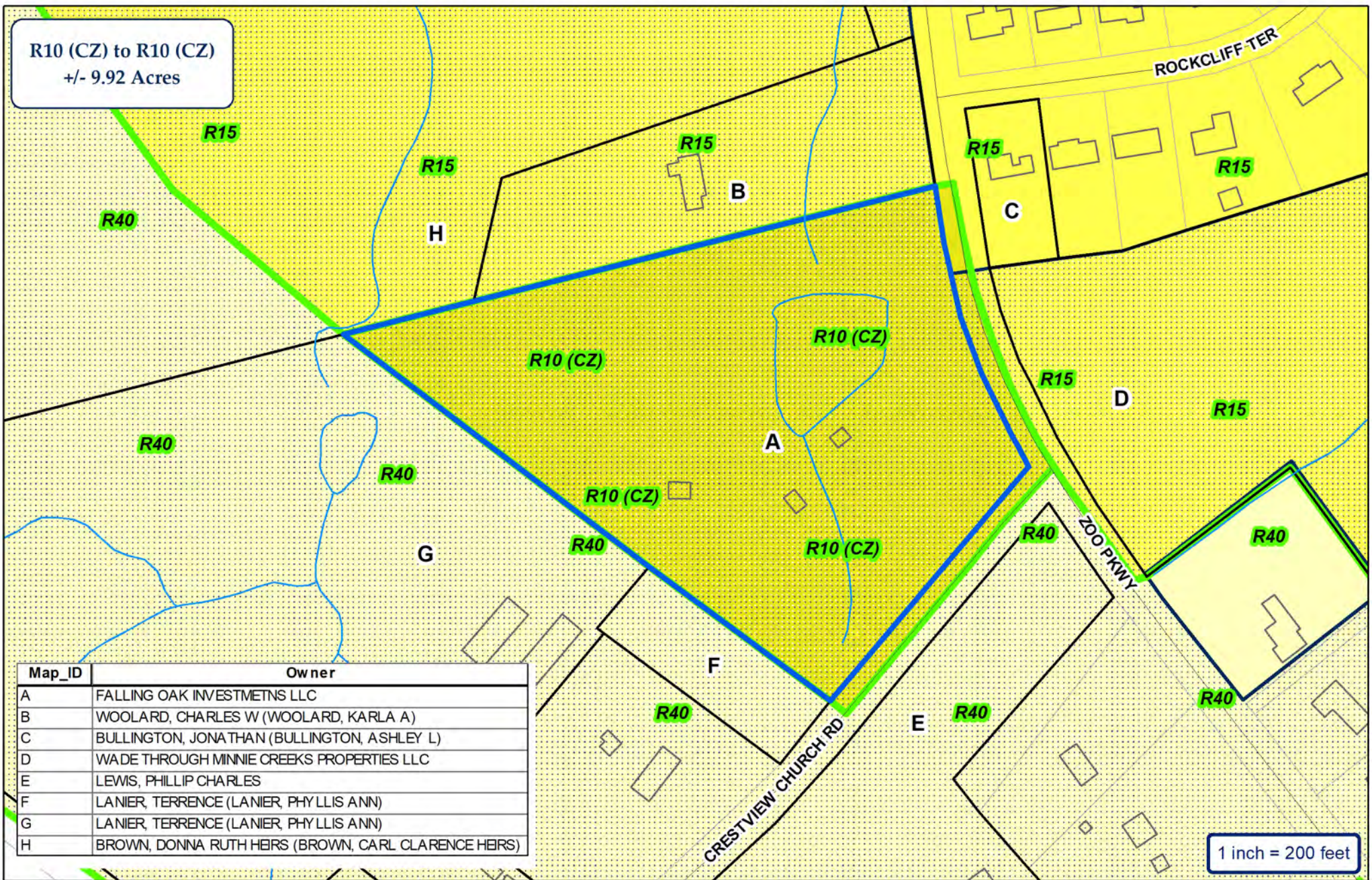
Rezoning Case: RZ-22-10

Subdivision: SUB-22-05

Parcels: 7669289834



R10 (CZ) to R10 (CZ)
+/- 9.92 Acres

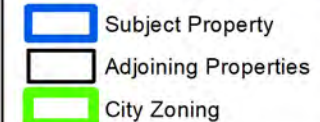


Map_ID	Owner
A	FALLING OAK INVESTMETNS LLC
B	WOOLARD, CHARLES W (WOOLARD, KARLA A)
C	BULLINGTON, JONATHAN (BULLINGTON, ASHLEY L)
D	WADE THROUGH MINNIE CREEKS PROPERTIES LLC
E	LEWIS, PHILLIP CHARLES
F	LANIER, TERRENCE (LANIER, PHYLLIS ANN)
G	LANIER, TERRENCE (LANIER, PHYLLIS ANN)
H	BROWN, DONNA RUTH HEIRS (BROWN, CARL CLARENCE HEIRS)

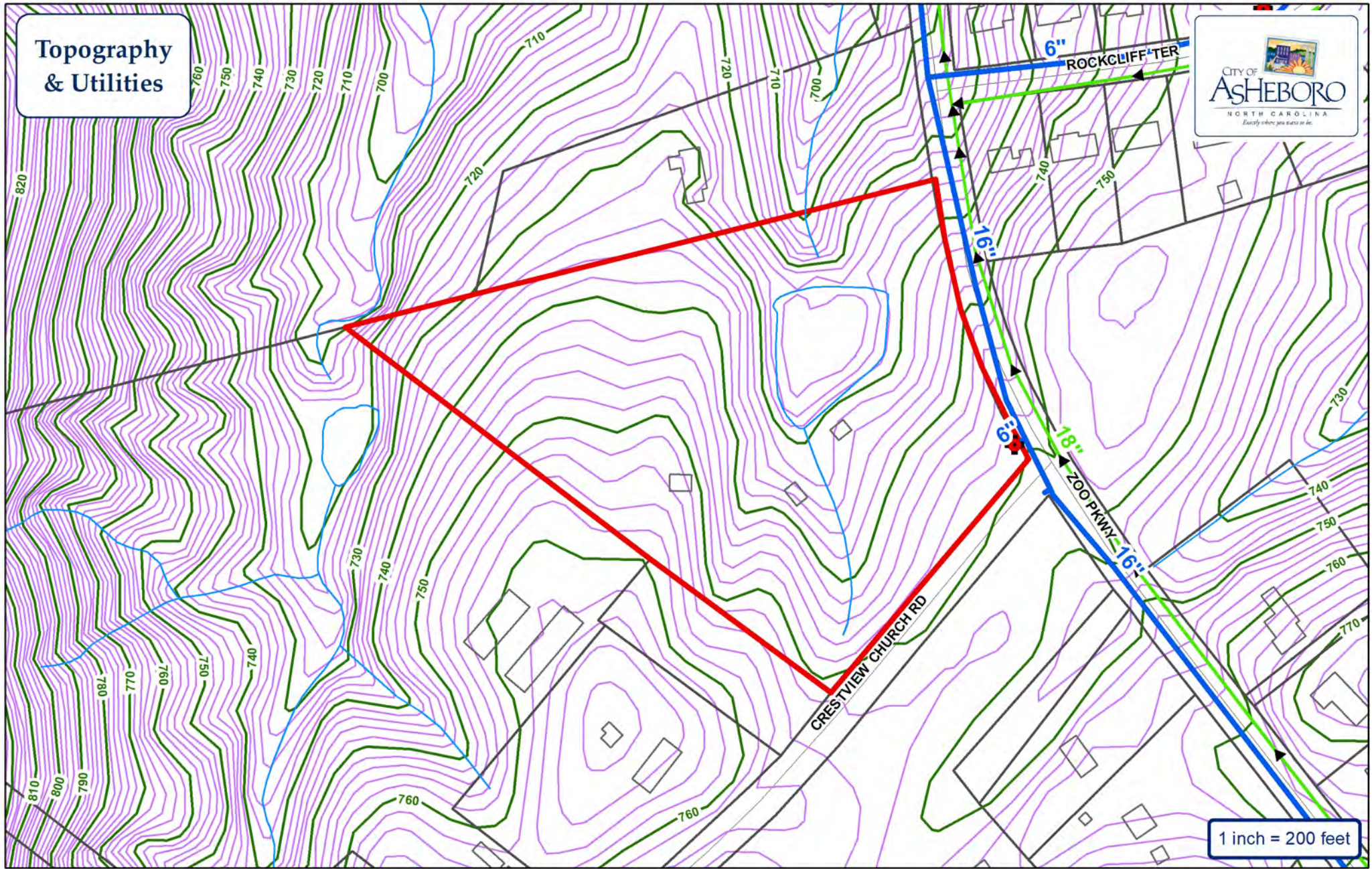
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-22-10
Subdivision Case: SUB-22-05

Parcels: 7669289834



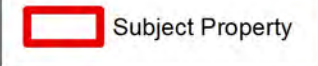
Topography & Utilities



1 inch = 200 feet

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

City of Asheboro Planning & Zoning Department
 Rezoning Case: RZ-22-10
 Subdivision: SUB-22-05
 Parcels: 7669289834



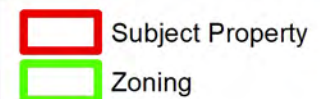


City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-22-10

Subdivision: SUB-22-05

Parcels: 7669289834



limitation, the North Carolina Department of Transportation and the North Carolina Department of Environmental Quality.

APPLICANT INFORMATION

Applicant Darren Lucas Applicant's Phone # 336-669-7683

Applicant's Address 3010 High Pine Church Rd
Asheboro N.C. 27205

Applicant email address Darren_Lucas@yahoo.com

PROPERTY INFORMATION

Property Owner's Name Falling Oak Investments LLC

Location of Property 1223 Crestview Church Rd Property Size (ac. or s.f.) 10 Acres

Randolph County Property Identification Number (PIN#) 7669-28-9834

Current Zoning District R-10(C2) Requested Zoning District R-10(C2) Amended

Date Property Title Acquired 2018 Deed Book 2607 Page 737

Subdivision _____ Section _____ Lot # _____

Plat Book 156 Page 100

CONDITIONAL ZONING DISTRICT INFORMATION (Attach additional sheets if necessary)

1. Application is hereby made to the City of Asheboro for a Conditional Zoning District for the following purpose:

Townhomes

APPLICATION SIGNATURES

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for a Conditional Zoning District rests with the applicant.

No application for a Conditional Zoning District will be advertised for public hearing until the Planning and Zoning Department has received all required materials. If all required materials are not received prior to the specified deadlines, hearings for the case may be delayed.

Per Section 4.05 of the zoning ordinance, it is intended that property will be reclassified to a Conditional Zoning District only in the event of firm plans to develop the property. Accordingly, subject to any specific durational limits imposed by the ordinance applying conditional zoning to the Zoning Lot, if no action has been taken to obtain a Zoning Compliance Permit in conformance with the conditional zoning ordinance within 36 months of the City Council's approval of conditional zoning for the Zoning Lot, the Community Development Director or his or her designee shall initiate appropriate action to rezone the Zoning Lot to a general zoning classification that is consistent with the adopted comprehensive plan.

Applicant Signature

Darren Lucas

Printed Name of Authorized Signatory (if different from Applicant)

Darren Lucas

Position/Relationship of Authorized Signatory to Applicant

Owner Signature (if different than Applicant)

Decafigned by:

John Robbins

2132A556808C40D...

Owner Address

5941 NC-8

Lexington, NC 27292

Telephone Number

336-242-9820

Printed Name of Authorized Signatory (if different from Owner)

John Robbins

Position/Relationship of Authorized Signatory to Owner

managing member

STAFF USE		
Received by: <u>John L. Evans</u>	Date: <u>8-10-22</u>	Case Number: <u>R2-22-10</u>



ATTACHMENT 2

Requests by Darren Lucas concerning property located at 1223 Crestview Church Road (Randolph County Parcel Identification Number 7669289834)

RZ-22-10 and SUB-22-05: Request to rezone property located at 1223 Crestview Church Road from R10 (CZ) Medium-Density Residential (Conditional Zoning) to an amended R10 (CZ) Medium-Density Residential (Conditional Zoning) to allow a residential Planned Unit Development and approve a subdivision sketch design

The information that follows is the initial staff report and site plan that was presented to the Planning Board on September 6.

Rezoning Staff Report

RZ Case # RZ-22-10

Date 9/6/2022 Planning Board

General Information

Applicant Darren Lucas

Address 3010 High Pine Church Road

City Asheboro NC 27205

Phone 336-669-7683

Location 1223 Crestview Church Road

Requested Action Modify an existing R10 (CZ) Medium-Density Conditional Zoning District for the purpose of a Residential Planned Unit Development

Existing Zone R10 (CZ)

Existing Land Use Undeveloped

Size 9.921 acres +/-

Pin # 7669289834

Applicant's Reasons as stated on application

Townhomes

Surrounding Land Use

North Low-Density Residential

East Low-Density Residential

South Low-Density Residential

West Low-Density Residential/Undeveloped

Zoning History RZ-18-06: Property was rezoned from R15 to R10 (CZ) for Residential Planned Unit Development consisting of 36 units.

Legal Description

The property of Falling Oak Investments, LLC located at 1223 Crestview Church Rd., at the northern intersection of Zoo Pkwy., totaling approximately 9.921 acres +/- and more specifically defined by Randolph County Parcel Identification Number 7669289834.

Analysis

See Attachment 1

Attachment 1: Staff Analysis for RZ-22-10 (Zoocrest Townhomes)

1. The application proposes a total of 58 attached single-family dwellings on 58 lots. Townhomes are reviewed as Planned Unit Developments under the code. Units shown are single-story and are approximately 825 s.f. in size. Parking for each unit and visitor parking is provided via surface parking area in front of the units. Lots would be served by privately maintained drives or streets, except for two lots that would be accessed from Zoo Parkway. Common elements incorporating open space preservation is provided. Solid waste disposal would occur via 3 dumpsters shown to be screened from public street view. Landscaping would be preserved or installed adjacent to Zoo Pkwy and Crestview Church Rd., along the project's perimeter, and within the development per the plans provided.
2. The conditional zoning process allows an applicant to propose a project-specific zoning district that establishes approval conditions and site development requirements. The project-specific zoning district is allowed to diverge from the zoning ordinance's predetermined land use requirements.
3. The property is outside the city limits. The project proposes to connect to city water and sewer; the site plan shows privately maintained sewer and publicly maintained water extended into the property to serve the lots. Connection to city services will require annexation consistent with City policies.
4. Zoo Parkway (NC 159) is a state-maintained major thoroughfare. Crestview Church Road is a state-maintained minor thoroughfare. The US64 Bypass is approximately 0.75 mile from the property; travel distance to access the bypass is about 1.9 miles.
5. The immediate area primarily consists of low to medium density single-family residential uses. Institutional uses and multi-family residential uses exist to the south. There is also industrial zoning to the south along Zoo Parkway. The Jellystone Park Campground is approximately 0.3 mile southwest on Crestview Church Road. The Zoo City Sportsplex is approximately 0.3 mile southeast on Zoo Parkway.
6. In 2018, City Council rezoned the subject property from R15 to R10 (CZ) and approved a Planned Unit Development with 36 attached single-family townhome lots accessed by new public streets. Units proposed at that time ranged in size between approximately 1400 and 1600 s.f. and included two-vehicle garages.
7. Conventional subdivisions in the R10 district require a minimum lot size of 10,000 SF per lot for single-family dwellings or 15,000 SF per lot for two-family (duplex) dwellings; under the code, generally the maximum number of lots permitted is similar for Planned Unit Developments and conventional subdivisions.
8. The R10 district is "intended to provide regulations which will produce 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.
9. The LDP Proposed Land Use Map (2015) identifies the property as appropriate for Neighborhood Residential development which should include "new neighborhoods of similar density" to the surrounding neighborhoods "to provide a greater sense of community."
10. The proposed development density is approximately 6.4 dwellings per acre when accounting for land area necessary for street right-of-way to serve the lots. In the R10 district, the maximum possible dwelling per acre is 5.8 for a project consisting of duplex dwellings when no land area is necessary for street right-of-way; for single-family projects, that maximum possible density is reduced to 4.3 units per acre.

Rezoning Staff Report

RZ Case # RZ-22-10

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 Neighborhood Residential

Small Area Plan Central

Growth Strategy Map Designation Secondary Growth

LDP Goals/Policies Which Support Request

Checklist Item 5: Complies with Growth Strategy Map

Checklist Item 6: Existing infrastructure is adequate to support the desired zone (water, sewer, roads, schools, etc.).

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-22-10**

LDP Goals/Policies Which Do Not Support Request

Checklist Item 1: Rezoning is not compliant with the Proposed Land Use Map.

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 10: Rezoning is not consistent with land category descriptions

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

Since original adoption of the Land Development Plan (LDP) in 2000, this area has seen significant change. Construction and opening of the US 64 Bypass and Zoo Connector, the building of the Zoo City Sportsplex, development of the Jellystone Park Campground, continued growth of the Crossroads Retirement Community, and other investments have altered the landscape.

Yet, it is important to note that the LDP's "Neighborhood Residential" designation still advocates for new residential development to be comparable in density to surrounding neighborhoods. This application proposes a project with density notably higher than adjacent development and the number of lots planned exceeds the number of lots that would be expected to be created in the R10 district or even, most likely, in the R7.5 district.

While the project would advance some LDP goals related to diverse housing options and includes sidewalks and open space preservation not always included in conventional subdivisions, the number of lots and units proposed is out of character for the area and zoning district. Staff, therefore, does not believe approval of the request would be reasonable or consistent with the Asheboro Land Development Plan.

Recommendation In light of the above analysis, staff's recommendation is to deny the application.

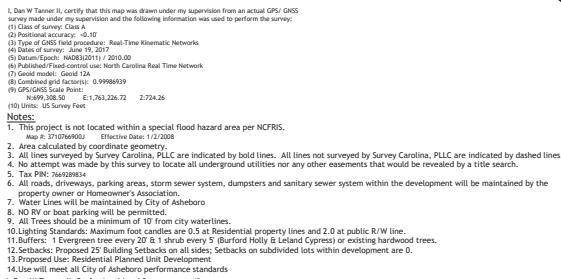
Rezoning Staff Report

Suggested Conditions for Conditional Zoning applications (subject to change prior to final report)

- (A) The use approved shall be a Residential Planned Unit Development with a total of 58 dwelling units on 58 lots.
- (B) All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.
- (C) Enclosure of concrete pads to the rear of dwellings or other additions to the rear of residential dwellings shall not be considered a modification requiring City Council review provided such additions are located on a recorded lot.
- (D) Maintenance of all recreation areas, parking lots, any utilities not publicly maintained, roads, and drainage facilities that are not specifically labeled on the approved site plan as publicly owned and maintained shall be the responsibility of the property owner and any successors in interest.
- (E) Any water meter located outside the public right-of-way shall be located within a City of Asheboro waterline easement. Surveying of any required city easements shall be the responsibility of the property owner.
- (F) Installation of traffic and street signs within the development shall be the responsibility of the developer.
- (G) If solid waste disposal facilities as shown on the site plan are deemed to be inadequate, the property owner shall be responsible for ensuring that additional facilities or measures are installed. Any such facilities shall be consistent with city policies and codes.
- (H) Landscaping, including street trees, front yard landscaping, and perimeter buffering shall be installed consistent with the details and specifications shown on the site plan.
- (I) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the applicant shall submit documentation detailing the following approvals:
 - i) Driveway permit from NCDOT
 - ii.) Permitting from NC Department of Environmental Quality
- (J) Prior to the issuance of a zoning compliance permit, plans concerning water, including provisions for fire hydrants, and sanitary sewage that complies with city policies, shall be submitted. Surveying of any required city easements shall be the responsibility of the property owner.
- (K) 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.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1250.67	260.88	260.64	S 13°38'09" E	8°32'17"
C2	712.07	120.53	120.37	S 22°38'53" E	9°41'54"
C3	712.07	80.62	80.57	S 30°42'27" E	6°29'12"

LINE	BEARING	DISTANCE
1-1	N 75°22'18" E	11.00



I, Dan W Tanner II, Professional Land Surveyor, certify:

In accordance with NC General Statute 47-30(f)11a
That the survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

I, Dan W Tanner II, certify that this plat was drawn under my supervision from actual survey made under my supervision (deed description recorded in:

Book 2607, page 737;

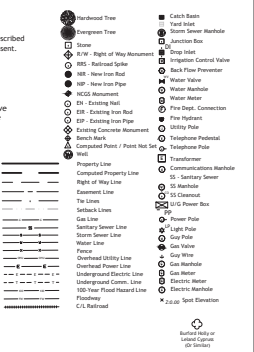
that the boundaries not surveyed are clearly indicated as drawn from information found in Book See, page Notes; that the ratio of precision or positional accuracy as calculated is 1:10000+; that this plat was prepared in accordance G.S. 47-30 as amended. Witness my original signature, license number and seal the 29th day of July, A.D., 2022.

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

Professional Land Surveyor L-4787



(Date) _____ Community Development Director



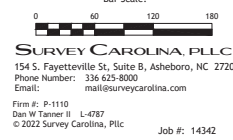
<u>Site Data Section</u>	
58 - 1 Story Units @ 823 Sq. Ft. Heated:	47,734 Sq. Ft.
Porch:	116 Sq. Ft.
Total Units:	58
Average Lot Size:	1,171 Sq. Ft.
Zoning:	R10
<u>OPEN SPACE CALCULATION</u>	
Concrete/Pavement:	81,959 Sq. Ft.
Buildings:	67,918 Sq. Ft.
Total Built Up:	149,877 Sq. Ft.
Total Area in Tract:	432,141 Sq. Ft.
Open Space:	282,959 Sq. Ft. / 65%
Recreation Area	
Required:	2353 Sq. Ft. / 3.3%
Shown:	51,729 Sq. Ft.
Parking Spaces	
Required:	122
Provided:	145

Owners:
Falling Oak Investments, LLC
5491 NC Hwy 8
Lexington, NC 27292
Phone #: (336) 242-9820

Sheet 1 of 2:
Survey For:
Zoocrest Townhomes
Grant Township Randolph County
North Carolina July 29, 2022
Deed Book:2607 Pg:737
Plat Book:156 Pg:100
Scale: 1" = 60 US Survey Feet



SURVEY CAROLINA, PLLC
154 S. Fayetteville St, Suite B, Asheville, NC 27203
Phone Number: 336 625-8000
Email: mail@surveycarolina.com
Firm #: P-1110
Dan W Tanner II L-4787
© 2022 Survey Carolina, PLLC
Job #: 14347



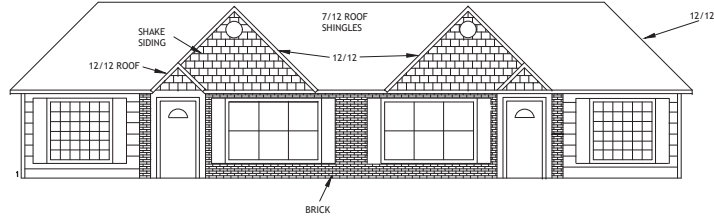
Sheet 2 of 2 :
Waterline Easement Survey For:
Zoocrest Townhomes
Grant Township Randolph County
North Carolina July 29, 2022
Deed Book:2607 Pg:737
Plat Book:156 Pg:102
Scale: 1" = 60 US Survey Feet

Bar Scale: 0 60 120 180

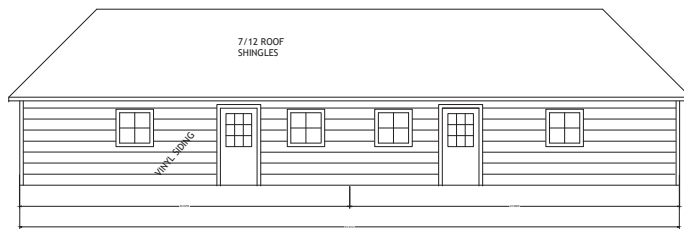
SURVEY CAROLINA, PLLC
154 S. Fayetteville St., Suite B, Asheville, NC 27203
Phone Number: 336.625.8000
Email: mail@surveycarolina.com

Form #: P-1110
Dan W Tanner II L-4787
© 2022 Survey Carolina, PLLC Job #: 14342

FRONT VIEW



REAR VIEW

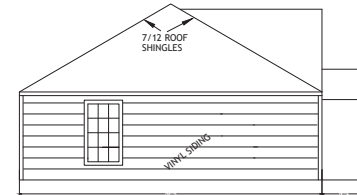


LIGHT
ELEVATION
ROUND MERCURY
VAPOR (PROGRESS ENERGY)
NON GLARE OR
DOWN SHIELDED
LIGHT



LIGHTING SHALL CONSIST OF
FULL CUTOFF FIXTURES AND
MEET ALL REQUIREMENTS
OF SECTION 6.02 OF ZONING
ORDINANCE.

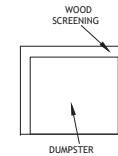
LEFT & RIGHT SIDE VIEW



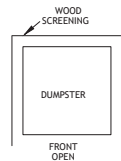
PAVEMENT/SIDEWALK
ELEVATION



SIDE
VIEW



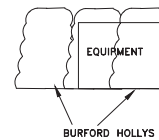
AERIAL
VIEW



SCREENING SHALL BEGIN AT GROUND
LEVEL WITH NO OPEN SPACE BETWEEN
THE GROUND AND BOTTOM OF
SCREENING MATERIAL.

THE HEIGHT OF THE SCREENING SHALL
BE EQUAL TO OR GREATER THAN THE
HEIGHT OF DUMPSTER

MECHANICAL VIEW



THE HEIGHT OF PLANTINGS SHALL BE
EQUAL TO OR GREATER THAN THE
MECHANICAL EQUIPMENT AT THE
TIME OF PLANTING.

Elevation Views For: Zoocrest Townhomes

City of Asheboro
Asheboro Township
North Carolina
Randolph County
May 13, 2022
Scale: 1" = 8 US Survey Feet



SURVEY CAROLINA, PLLC

154 S. Fayetteville St, Suite B, Asheboro, NC 27203
Phone Number: 336 625-8000
Email: mail@surveycarolina.com

Firm #: P-1110
Dan W Tanner II L-4787
© 2022 Survey Carolina, PLLC

Job #: 14342

SUBDIVISION STAFF REPORT
Sketch Design

CASE # SUB-22-05

Date 9/6/2022 Planning Board

GENERAL INFORMATION

Subdivision Name	Zoocrest Townhomes
Requested Action	Subdivision Sketch Design
Applicant	Darren Lucas
Address	3010 High Pine Church Road
Phone	336-669-7683
Location	1223 Crestview Church Road (at intersection of Zoo Pkwy.)

PARCEL INFORMATION

PIN 7669289834

Size 9.921 acres +/-

Number of Lots 58 + common area

Existing Zoning R10 (CZ)

Average Lot Size Pending

Existing Land Use Undeveloped

Surrounding Land Use

North Low-Density Residential

East Low/Medium-Density Res.

South Low-Density Residential

West Low/Medium-Density Res.

LAND DEVELOPMENT PLAN

Growth Strategy Map Secondary Growth

Proposed Land Use Map Neighborhood Residential

Small Area Plan Map Central

Identified Activity Center? No

Development Issues

1. The applicant is also requesting to amend the existing R10 (CZ) Medium-Density Conditional Zoning district, for a Residential Planned Unit Development. This is required to be approved for the approval of the sketch design.
2. The applicant is proposing a total of 58 dwelling units on 58 lots. The units are attached single-family units. There are a total of 29 structures.
3. One entrance from Crestview Church Road is proposed to serve the development. All driveways access internal private streets with the exception of the two lots on Zoo Parkway. These two lots will require driveway permit approval from NCDOT.
4. As proposed, the homeowners' association will be responsible for maintaining all public streets within the development, trash pickup, and sewer service. A public waterline, to be maintained by the City of Asheboro, is proposed.

SUBDIVISION STAFF REPORT
Sketch Design

DEPARTMENT COMMENTS

Engineering	The plan was routed to Engineering. After review, as of September 1st, no corrections or comments have been noted.
Public Works	Public Works indicated the plat is acceptable, but recommended having an additional dumpster. Individual can pickup may be available for Lots 57 and 58 facing Zoo Parkway. Public Works indicated that they will need to review engineered drawings on the proposed water system with the Preliminary Plat.
Planning	1. Plat corrections, such as but not limited to detail on recreation area, paving detail, grading limits, and other miscellaneous clerical items such as plat certifications have been requested. 2. 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. 3. The subdivision ordinance requires that sidewalks connect all units to amenities within the development. Comments returned to the applicant include extending sidewalks to Units 57 and 58, the recreation area, and the right-of-way of Crestview Church Road.
Other	1. The plan was routed to the NC Department of Transportation, Randolph County Schools, and the US Postal Service. As of September 1st; none have provided comments. 2. Hydrant locations will need to be shown on the Preliminary Plat, and approved by Asheboro Fire Department. 3. Building Inspections indicated they will need to review engineered drawings on the proposed private sewer prior to Building permitting.

Staff Recommendation A staff recommendation will be available at the Planning Board meeting.

**Planning Board
Recommendation**

ORDINANCE TO AMEND THE ECONOMIC & TOURISM DEVELOPMENT
FUND
FY 2022-2023

WHEREAS, the City of Asheboro continues to look for ways to support promote Asheboro and the surrounding businesses, and;

WHEREAS, NCDOT started building a 14.4 mile highway interchange between I-73 and I-74 and US HWY 64 Asheboro in June 2015 and the segment was opened on December 18, 2020, and;

WHEREAS, the City recognizes a branding opportunity to the City of Asheboro, the NC Zoo and the region by establishing unique, creative and implementable designs at six highway interchanges of the I-73/I-74 corridor that will leverage the economic synergies between the City of Asheboro and the NC Zoo, and;

WHEREAS, the City appropriated \$185,000 for Phase 1 of this project on March 4, 2021.

WHEREAS, the City desires to recognize funding and appropriate for the expense in the Economic and Tourism Development fund for the next phase of this project.

WHEREAS, the compensation to the Architect for Basic Services of this phase is \$145,000.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

That the following Revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
72-000-371.0012	Allocation for Branding on HWY 64 bypass- Phase 2	\$145,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
72-000-800.9004	Branding on HWY 64 bypass- Phase 2	\$145,000

ORDINANCE TO AMEND THE ECONOMIC & TOURISM DEVELOPMENT
FUND
FY 2022-2023

Adopted this the 6th day of October 2022.

David H. Smith, Mayor

ATTEST:

Holly H Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND THE GENERAL FUND FY 2022-2023

WHEREAS, the City of Asheboro continues to look for ways to support promote Asheboro and the surrounding businesses, and;

WHEREAS, NCDOT started building a 14.4 mile highway interchange between I-73 and I-74 and US HWY 64 Asheboro in June 2015 and the segment was opened on December 18, 2020, and;

WHEREAS, the City recognizes a branding opportunity to the City of Asheboro, the NC Zoo and the region by establishing unique, creative and implementable designs at six highway interchanges of the I-73/I-74 corridor that will leverage the economic synergies between the City of Asheboro and the NC Zoo, and;

WHEREAS, the City appropriated \$185,000 for Phase 1 of this project on March 4, 2021.

WHEREAS, the City desires to allocate funding and appropriate for the expense in the Economic and Tourism Development fund for the next phase of this project.

WHEREAS, the compensation to the Architect for Basic Services of this phase is \$145,000.

WHEREAS, as of September 30, 2022, the City has allocated \$50,000 of fund balance in FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of \$145,000 from the General Fund to transfer to the Economic Development fund for this expense.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

That the following Revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-000-399.0000	Fund Balance Allocation	\$145,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-490-572.0000	Contribution to Economic Development Fund	\$145,000

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

Adopted this the 6th day of October 2022.

David H. Smith, Mayor

ATTEST:

Holly H Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, Bicentennial Park in Downtown Asheboro is a dynamic space for a variety of social and recreation activities.

WHEREAS, the City of Asheboro wishes to enlist the professional services of Freeman Kennett Architects, PLLC for concept design study of Bicentennial Park to come up with ideas of how to enhance the experiences of citizens who use Bicentennial Park.

WHEREAS, as of September 30, 2022, the City has allocated \$50,000 of fund balance in FY 2022-2023.

WHEREAS, the compensation to Freeman Kennett Architects PLLC for the "concept phase" only of the study is \$12,960.

WHEREAS, the City wishes to allocate fund balance in the amount of \$12,960 for this expense.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

That the following Revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-000-399.0000	Fund Balance Allocation	\$12,960

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-620-522.0000	Professional Services	\$12,960

Adopted this the 6th day of October 2022.

David H. Smith, Mayor

ATTEST:

Holly H Doerr, CMC, NCCMC, City Clerk

**ORDINANCE TO AMEND THE WATER & SEWER FUND
FY 2022-2023**

WHEREAS, the City of Asheboro has production and treatment capacity at both the Water Treatment Plant and the Sewer Treatment Plant.

WHEREAS, the City of Asheboro would like to enlist the Piedmont Triad Regional Council (PTRC) to assist with strategic management assistance related water line extension and wastewater services.

WHEREAS, the proposed cost of the scope of work requested is \$18,750.

WHEREAS, as of September 30, 2022, the City has not allocated any retained earnings for FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of \$18,875 for this expense.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

That the following Revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
30-000-399.0000	Fund Balance Allocation	\$18,750

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
30-820-522.0000	Professional Services	9,375
30-830-522.0000	Professional Services	9,375
		\$18,750

Adopted this the 6th day of October 2022.

David H. Smith, Mayor

ATTEST:

Holly H Doerr, CMC, NCCMC, City Clerk