

**AGENDA
REGULAR MEETING
CITY COUNCIL, CITY OF ASHEBORO
THURSDAY, SEPTEMBER 7, 2023, 7:00 PM**

1. Call to order.
2. Silent prayer and pledge of allegiance.
3. Mayor Smith will introduce the President of Randolph Community College, Dr. Shah Ardalan, Ed.D.
4. Mayor Smith will initiate a discussion with Police Chief Mark Lineberry, Fire Chief Willie Summers, Code Enforcement Officer Chuck Garner, and City Manager John Ogburn that will focus on the meeting held on August 30, 2023, concerning the issues surrounding homelessness.
5. Public Hearing: Finance Director Deborah Reaves will begin a discussion about proposed economic development appropriations to Downtown Asheboro Inc.
6. Presentation by Addie Corder, Executive Director of Downtown Asheboro Inc, on the annual reinvestment statistics and impact of the Main Street Program in downtown Asheboro.
7. Public comment period.
8. Recreation Services Director Jonathan Sermon will present proposed amendments to the City of Asheboro Cultural and Recreation Services Policy Manual that pertain to the Zoo City Sportsplex.
9. Consent Agenda:
 - (a) Approval of the meeting minutes for the city council's regular meeting on August 10, 2023.
 - (b) Approval of the meeting minutes for the city council's special meeting on August 29, 2023.
 - (c) Acknowledgement of the receipt of meeting minutes for the Asheboro ABC Board's meetings on June 26, 2023, and August 7, 2023.

(d) Approval of the community development division's request to schedule for October 5, 2023, and to advertise, legislative zoning hearings for the following cases:

(i) An application to rezone property located at 624 Brewer Street and 621 Franks Street, which is identified by Randolph County Parcel Identification Number 7761146503, from RA6 and B2 (CZ) zoning to an amended B2 (CZ) zoning classification for a Large Child Care Center with the continuation of a membership organization; and

(ii) An application to rezone property on the west side of Zoo Parkway, between 2358 and 2476 Zoo Parkway, and the south side of Newbern Avenue, between 294 and 360 Newbern Avenue, that is approximately 94.27 acres +/- of 104.27 acres +/- in size and is more specifically identified as a portion of Randolph County Parcel Identification Number 7760008593 and Randolph County Parcel ID 7760013008; this specific request is to amend the zoning from R40, R15, and R10 zoning to R7.5 (CZ) zoning for a Residential Planned Unit Development.

(e) Approval of an ordinance amending the General Fund to recognize the Fire Department's receipt of a grant from Randolph County.

(f) Approval of an ordinance amending the Water and Sewer Fund to account for variations that have been encountered with certain capital outlay expenditures.

(g) Approval of temporary street closures in downtown Asheboro from 3 pm to 5:30 pm on November 11, 2023, for the Veterans Day Parade.

(h) Approval of a resolution awarding to retiring Master Police Officer Lorie Ann Johnson her service side arm.

10. Community Development Director Trevor Nuttall will introduce the issues under consideration for the next two public hearings.

(a) Legislative Hearing (Case No. RZ-23-12): An application to rezone property on the north side of Sherwood Avenue, which is identified by Randolph County Parcel Identification Number 7750340457, to a R10 (CZ) Medium-Density Residential Conditional Zoning District to allow modifications to a previously approved Residential Planned Unit Development.

(b) Public hearing on the development of programs for Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Activities for all interested agencies, groups, and individuals.

11. Proposed Trade Street Renovations

(a) Consideration of Change Order No. 2 in the amount of \$15,600 to add to the Wooten Company's engineering services contract for electrical design support for the conversion of overhead electrical service to underground service.

(b) Consideration of an ordinance to amend the State Capital Infrastructure Grant Fund in order to account for the above-listed change order.

12. Finance Director Deborah Reaves will present a resolution to finance the acquisition of radios by the Asheboro Police Department.

13. Public Hearings on Annexation Petitions: City Engineer Michael Leonard, PE will introduce the petitions that are under consideration.

(a) A petition received from Larry McKenzie and Amber Hill requesting the contiguous annexation of a parcel of land (Randolph County Parcel Identification Number 7763413934) located at the end of Kelly Circle:

(i) Public hearing; and

(ii) Consideration of an ordinance to extend the corporate limits of the City of Asheboro.

(b) A petition received from Alexander Lucas and Darren Lucas requesting the contiguous annexation of a parcel of land (Randolph County Parcel Identification Number 7763933698) located along W O W Road:

(i) Public hearing; and

(ii) Consideration of an ordinance to extend the corporate limits of the City of Asheboro.

14. Zoo City Sportsplex

(a) City Engineer Michael Leonard, PE will request approval of Change Order Number 9 with Terry's Plumbing and Utilities. This work includes the grading and paving for approximately 110 additional parking spaces plus travel lanes along the south and west sides of Field 1. This work also includes the addition of gravity sanitary sewer service lines to accommodate future development and the construction of a 220-square foot Cultural and Recreation Services Operations Center.

(b) Finance Director Deborah Reaves will present budget ordinance and project fund amendments to account for the above-listed change order.

15. Water Resources Director Michael Rhoney, PE will present the following items:

(a) A resolution authorizing an application for a state grant/loan for the Lake Lucas Dam Intake Improvements Project;

(b) A resolution authorizing an application for a state grant/loan for the City of Asheboro Lead Service Line Inventory Project;

(c) A resolution authorizing an application for a state grant/loan for the City of Asheboro Emerging Contaminants Treatment Study; and

(d) A project ordinance establishing a fund for the Wolfsped Water Line Extension Project.

16. City Attorney Jeff Sugg will request approval of a lease agreement for the use of transmitter space by the Randolph County Board of Education on city-owned property.

17. Consideration of a motion to go into closed session to establish and instruct staff on the city's negotiating position for the acquisition of real property for the third fire station/emergency operation center.

Agenda

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

ORDINANCE NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

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

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

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

WHEREAS, the Zoo City Sportsplex is a newly constructed facility that will be administered by Asheboro Cultural and Recreation Services; and

WHEREAS, with the addition of this new facility, a new article needs to be added to the Manual to establish regulatory provisions applicable to the Zoo City Sportsplex; and

WHEREAS, the recommended regulatory provisions for the Zoo City Sportsplex have been drafted by city staff members as the proposed new Article XIX in the Manual and have been attached to this Ordinance as EXHIBIT 1, which is hereby incorporated into this instrument by reference as if copied fully herein; and

WHEREAS, the Asheboro City Council has concluded that it is advisable to move forward with the recommended enactment of Article XIX.

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

Section 1. Article XIX of the City of Asheboro Cultural and Recreation Services Policy Manual is hereby enacted and incorporated into the Manual as written in the attached EXHIBIT 1.

Section 2. All articles, sections, and provisions of the Manual that are not explicitly modified by the contents of EXHIBIT 1 shall continue in full force and effect without alteration.

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

Section 4. With the limited exception of the provisions found in divisions B through E of Section 19.7 of the newly enacted article, the regulatory provisions found in the exhibit attached to this Ordinance shall be in full force and effect upon and after September 8, 2023.

Section 5. The regulatory provisions found in divisions B through E of Section 19.7 of the newly enacted article attached to this Ordinance as EXHIBIT 1 shall be in full force and effect upon and after January 1, 2024.

The Asheboro City Council approved this Ordinance in open session during a regular meeting held on the 7th day of September, 2023.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

EXHIBIT 1

ARTICLE XIX. ZOO CITY SPORTSPLEX

SECTION 19.1 OPERATION AND CONTROL

Zoo City Sportsplex is Asheboro's premiere athletic complex capable of hosting numerous athletic and community events each year. Zoo City Sportsplex offers a place for the City of Asheboro's Cultural and Recreation Services athletic programs, community recreational sports leagues, Challenge sports programs, both individual game and tournament rentals, as well as community events. With several multipurpose turf fields available, Zoo City Sportsplex is the perfect venue for football, lacrosse, pickleball, soccer, Ultimate Frisbee, volleyball, or any outdoor activity.

Zoo City Sportsplex will be administered by the City of Asheboro in a manner that will provide the citizens of Asheboro and Randolph County with an opportunity for a quality recreation experience. Within this Article, and unless specifically provided otherwise within a specific regulation, references to a renter or other third party obtaining proper authorization shall mean written approval has to be obtained from Asheboro Cultural and Recreation Services personnel in accordance with all applicable laws, ordinances, and regulations.

SECTION 19.2 FACILITIES

Zoo City Sportsplex facilities include:

- A. Eight (8) synthetic turf multiuse fields featuring permanent lighting.
 - (1) All eight (8) fields have been lined for soccer; however, the fields can be configured to accommodate various playing field dimensions.
 - (2) Two (2) fields are marked for football and have been installed with goal posts.
 - (3) Two (2) 180' x 360' fields are marked for lacrosse.

- B. Six (6) sand volleyball courts featuring permanent lighting.
- C. Four (4) pickleball courts.
- D. An inclusive playground.
- E. Six (6) picnic shelters.
- F. A 1.25-acre dog park.
- G. A National Fitness Campaign Fitness Court.
- H. 1.5 Miles of accessible walking trails.
- I. 1 Mile of mulched walking trails.
- J. Hot / Cold concessions facilities.
- K. Permanent restroom facilities.
- L. Paved parking for 600 +/- vehicles.

SECTION 19.3 HOURS OF OPERATION

The Zoo City Sportsplex property including all staffed and unstaffed areas are open daily to the public from 8:00 am to sunset, except when:

- A. The Recreation Services Director or designee may provide alternate hours of operation for the facility as appropriate. Changes in hours will be posted at the facility and/or on the city's website as appropriate.
- B. A Cultural and Recreation Services or partner program on Sportsplex property may operate during extended hours.
- C. A rental agreement issued by the Cultural & Recreation Services department may authorize alternate hours of operation or the extended use of the Sportsplex property.
- D. The Recreation Services Director may establish a temporary holiday schedule for the Sportsplex.
- E. Asheboro Cultural and Recreation Services personnel or authorized City public safety personnel may open or close the Sportsplex property in the

event of an emergency, inclement weather, or appropriate official purpose. Such opening or closing will be posted in advance, when possible, for public notice.

- F. Except for City public safety personnel and other explicitly authorized City personnel, no person shall enter, or be present within the Sportsplex property, when closed as indicated by posted hours or when gates to the park are shut. Violation of the foregoing may be subject to civil or criminal penalties.

SECTION 19.4 RULES AND REGULATIONS

- A. Only two (2) goals per field are allowed unless authorized by Sportsplex Management. Goals are not to be moved from one field to another.
- B. Do not drag goals. Either lift the goals, use the wheels, or use the transport equipment available.
- C. If goals are moved around the field during a reservation, the goals are to be returned to their original location following the reservation.
- D. Goals can only be used for their intended sport. For example, lacrosse goals cannot be used for soccer.
- E. Any equipment needed beyond goals, netting, goal posts, corner flags, and sideline benches must be provided by the teams and/or organizations leasing the facility. The use of additional equipment requires prior approval.
- F. Metal cleats are not allowed at the Zoo City Sportsplex facility.
- G. Painting or marking of the fields in any manner by anyone other than Sportsplex personnel is prohibited.
- H. No vehicles are permitted on the athletic fields.
- I. Canopies are permitted, however all canopy locations for hosts, spectators, teams, and vendors must be approved. Sportsplex staff will work with Event Organizers to create a plan. Limited canopies will be allowed on the playing surface. Canopies must be secured with sandbags, concrete blocks, or water containers.

- J. Staking objects into any area of the Sportsplex facility, especially the athletic fields, is prohibited.
- K. No cleats or high heeled shoes are allowed within the playground area.
- L. No animals, with the exception of service animals, are permitted on the athletic fields.
- M. No tobacco or vaping products are allowed on the playing fields or bleacher areas.
- N. No food is allowed on the playing fields. This includes gum and sunflower seeds.
- O. Any type of glass material is prohibited in the park. This includes glass bottles, containers, etc.
- P. Open flame cooking is only permitted in the provided outdoor grills located at the various picnic shelters. Any other type of outdoor burning, cooking, or open flame is strictly prohibited.
- Q. No alcoholic beverages are permitted in the park without proper authorization, insurance, and licensing.
- R. User groups are responsible for picking up trash and debris from the field and bench areas after each usage. Collected trash shall be deposited in the designated locations.
- S. The charging of admission, sale of food, or sale of merchandise is not permitted without proper authorization from Asheboro Cultural and Recreation Services. This authorization must be obtained in advance.
- T. No Mobile Food Units (food trucks and trailers) are permitted in the park without proper authorization, insurance, and permitting.
- U. Amplified sound and inflatable equipment are not permitted without proper authorization, appropriate permitting, and insurance.
- V. The usage of drones is prohibited during events at the Sportsplex without proper authorization from Asheboro Cultural and Recreation Services. This authorization must be obtained in advance.

- W. The Sportsplex allows video streaming of athletic events. All necessary video and streaming equipment must be provided by the user group, team, or team representatives.

SECTION 19.5 FACILITY RENTALS

Subject to the regulations prescribed herein, the Zoo City Sportsplex (the “Facility”) may be rented to individuals or other types of legal entities for events or activities that are consistent with the mission and programming of Asheboro Cultural and Recreation Services. The decision as to whether to rent the Facility on any specific occasion is within the ultimate discretion of the Recreation Services Director (the “Director”), or the Director’s designee, as he or she evaluates the needs and priorities of the City.

Application to use this Facility shall be made on a form available from Asheboro Cultural and Recreation Services. Applications are subject to the final review and decision-making authority of the Recreation Services Director.

Reservations are only available when facilities are not scheduled for Cultural and Recreation Services programs or by approved activities of partner organizations.

A. Sponsorship and fee related regulations:

- (1) The Director reserves the right to co-sponsor an event.
- (2) A \$100 security deposit per court/field must be paid at the time of reservation to secure a game or tournament date(s). The fee shall be submitted in the manner prescribed by Asheboro Cultural and Recreation Services. Multiple dates will require multiple deposits.
- (3) Violation of the rental agreement will result in the forfeiture of the security deposit to the City.
- (4) If the user fees described in the Schedule of Deposits, Fees, and Charges Administered by the Cultural and Recreation Services Departments (the “Fee Schedule”) are not paid by the required deadline, the event will be cancelled.
- (5) If advance tickets have been sold for a canceled event, the renter is responsible for either reimbursing ticket holders or honoring at a future event sponsored by the same renter the advance tickets

that have already been sold. The renter is responsible for advertising the cancellation.

- (6) Failure to pay the rental fee will result in the denial of access to the Facility.

B. Insurance and liability waivers:

- (1) When the Facility is rented for an event open to the public, or if a fee is charged for admission to the event, the renter shall pay for and maintain at all times during the individual or entity's use of the Facility comprehensive and general liability insurance coverage with primary limits of liability of no less than one million dollars (\$1,000,000) per occurrence for bodily injury and property damage. The required policy or policies shall be written through insurance carriers that are qualified to do business in North Carolina. Furthermore, the City of Asheboro is to be named as an additional insured and shall be furnished with a Certificate of Insurance in a form satisfactory to the City. In order to be deemed satisfactory, such a certificate must affirmatively state without any disclaimer or limitation whatsoever that the coverage or coverages referred to therein shall not and cannot be terminated or modified until the city has received thirty (30) days written notice thereof. A satisfactory Certificate of Insurance must be in the possession of Asheboro Cultural and Recreation Services no later than 30 days prior to the scheduled event. Failure to provide proof of insurance will result in the cancellation of the event. Furthermore, the applicant must agree to forever hold harmless and to fully indemnify the City and its personnel, agents, officials, and City Council, in both their official and individual capacities, from any and all judgments, liens, claims, assessments, demands, attorney fees, actions, and causes of action of any sort arising out of any damage or injury sustained by any person or entity by reason of any negligent or willful act or omission of the applicant or its officers, employees, agents or contractors in connection with the applicants use of the Zoo City Sportsplex.
- (2) If the event is closed to the general public, and no admission fee is charged, a liability waiver shall be required in lieu of liability insurance coverage.

C. Facility operational issues:

- (1) All Facility reservation requests must be submitted in writing to Asheboro Cultural and Recreation Services.
- (2) Facility rentals will only be available when not scheduled for Cultural and Recreation Service programs and approved activities of our partner organization(s).
- (3) The renter must designate with Asheboro Cultural and Recreation Services a representative who will be responsible for all phases of the event and who will be on site the entire time the event is taking place.
- (4) The renter is responsible for cleaning the Facility after the event concludes each day. Before vacating the Facility's premises, the renter must ensure that the Facility is restored to the condition in which the Facility was found.
- (5) If the renter fails to clean up the facility as required by the rental agreement and these rules and regulations, the renter's security deposit will be forfeited to the City.
- (6) Cleaning supplies and trash can liners are available for use. Trash shall be deposited in the designated locations.
- (7) Items left at the Facility for disposition and/or disposal by the City will result in the forfeiture of the renter's security deposit to the City. Furthermore, any such items found at the Facility after the termination of the rental agreement will be deemed to be abandoned property that is subject to removal and disposition in the sole discretion of the City.
- (8) Reserving Organizations/Personnel will be responsible for crowd control and team conduct.
- (9) If generally accepted best practices for a venue such as the Zoo City Sportsplex indicate that on-site security should be deployed for a proposed event, the renter is responsible for procuring and paying for the services of properly trained security/off-duty law enforcement personnel.

- (10) Temporary signage displayed during events must receive prior approval. Signage must not alter or damage property and must be removed immediately following the event.
- (11) Any property damage to the Facility, which was a result of the scheduled event and not any negligence on the part of the City or its employees, will be the responsibility of the lessee. Reimbursement payments for the cost to repair or replace the damaged property shall be payable to the City of Asheboro. The decision as to whether to repair or replace the damaged property will be in the sole discretion of the City of Asheboro.
- (12) All cancellation requests must be submitted in writing to Asheboro Cultural and Recreation Services.
- (13) Under NO circumstances can the Facility be sub-leased at any time.
- (14) The above Facility rental provisions shall not be interpreted or construed in any manner that limits the authority of the City of Asheboro and its departments to lawfully discharge all governmental functions.

D. Concessions:

- (1) The City reserves the right to sell any and all concessions during events held at the Facility.
- (2) If the renter desires to sell at the Facility or on its associated premises any concession and/or merchandising items, including without limitation food, clothing apparel, promotional products, etc., the renter must obtain written permission from the Director at least 48 hours prior to the event. The Director may refuse, with or without cause, to grant such permission.
- (3) If permission is granted by the Director for the renter to sell concessions and/or merchandise, the renter must pay to the City a 10% commission on any and all items sold. A joint inventory will be taken prior to and after the event.
- (4) If permission is granted for the renter to sell its own concessions, the renter shall provide its own workers to conduct concessions operations and is responsible for obtaining all merchandise, concessions, and supplies, including food, candy, drinks, cups,

napkins, condiments, popcorn supplies, bags, ice, etc. needed for the concession's operations. The renter is responsible for bearing all costs associated with meeting the above-stated obligations. Chewing gum and sunflower seeds are not allowed for sale. If the renter utilizes city-owned equipment to conduct concessions operations, the equipment must be used in strict compliance with all operational guidelines issued by Asheboro Cultural and Recreation Services for the use of such equipment.

E. Rental event types:

(1) General reservation policies:

- (a) Requests for general one-time reservations must be made at least 48 hours in advance for weekday reservations and at least 72 hours in advance for weekend reservations.
- (b) Security deposit and all rental fees must be paid in full at the time of reservation.
- (c) Any changes to one-time field reservations, excluding cancellations, must occur at least 7 days in advance of the proposed date change, and an opportunity to reschedule will be provided. All requests for changes must be communicated in writing to Asheboro Cultural and Recreation Services.
- (d) There will be NO refunds if a cancellation is made less than 48 hours prior to the rental date.

(2) Tournament reservation policies:

- (a) Requests for tournament rentals should be made at least 60 days prior to the event.
- (b) Security deposits must be paid at the time of reservation.
- (c) If your request application is approved, your date(s) will be tentatively held for 30 days pending completion of the following steps:
 - 1. **Site visit** - Meet with Sportsplex staff to discuss logistics, limitations, and regulations for the proposed event.

2. **Site map / Event management plan** - Submitted and approved.
 3. **Insurance requirements** - Detailed above in section 19.5 B.
 4. **Payment due** - Remaining rental fee paid in its entirety.
- (d) There will be NO refunds if a cancellation is made less than 14 days prior to the rental date.

SECTION 19.6 PARTNER ORGANIZATION DEFINITIONS

For purposes of this section the Randolph-Asheboro YMCA will be considered an approved partner organization.

- A. All Zoo City Sportsplex amenities as well as all activities, programs, tournaments, and special events will be scheduled and managed by Asheboro Cultural & Recreation Services on behalf of the City of Asheboro where not exempted below in items (B) and (C).
- (1) The City of Asheboro shall retain all revenue generated from the sources mentioned in item (A) and as further described in the Schedule of Deposits, Fees, and Charges as set and approved by the Asheboro City Council.
- B. The City of Asheboro and the Randolph-Asheboro YMCA will partner to sponsor, schedule, and manage their recreational Youth Soccer League and the Challenge Soccer Program, currently known as the Asheboro City Futbol Club. The Youth Soccer Program is under the auspices of the North Carolina Youth Soccer Association.
- C. The City of Asheboro and the Randolph-Asheboro YMCA will also partner to sponsor, schedule, and manage their youth and adult recreational Beach Volleyball Leagues.
- (1) As a partner organization, the Randolph-Asheboro YMCA shall not be required to lease the courts/fields needed to facilitate the above listed programs mentioned in items (B) and (C).
- (2) The Randolph-Asheboro YMCA shall retain all participant registration revenue generated from the above listed programs mentioned in items (B) and (C).

- D. If at any time the Randolph-Asheboro YMCA fails or chooses not to offer the programs listed in items (B) or (C), the City of Asheboro reserves the right to program those activities and receive any revenue generated from those programs.
- E. The Randolph-Asheboro YMCA may sell all food and beverages at concession stand #2 for the partnership events listed above in items (B) and (C) and retain any profit gained to financially support those youth activities.

SECTION 19.7 INCLEMENT WEATHER POLICY

- A. Sportsplex staff reserve the right to suspend activity and/or close the facility in the event of inclement weather.
- B. If lightning is detected within 10 miles of the facility, a siren will sound, and a strobe light will flash.
 - (1) The weather monitoring system and warning device is mounted on top of the maintenance building located above Field #2.
- C. If the horn sounds, everyone **MUST** clear the courts/fields immediately. Players, spectators, and other park visitors are to return to their cars until the “All Clear” horn has sounded.
- D. The system will automatically implement a 30-minute countdown, which will reset each time a lightning strike is detected within 10 miles.
- E. Once 30 minutes has passed and no lightning has been detected within 10 miles, the “All Clear” horn will sound which consists of three horn pulses. This means lightning has no longer been detected and everyone may return to their activity.
- F. In the case of inclement weather forcing an event to be cancelled, Sportsplex staff will work with the renter to attempt to reschedule the event for another time if facility availability allows.
- G. Inclement weather rescheduling must be done within 7 business days **AFTER** the event.
- H. Refunds will not be given in the event of inclement weather.

SECTION 19.8 RESERVED FOR FUTURE USE

SECTION 19.9 RESERVED FOR FUTURE USE

ORDINANCE NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

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

WHEREAS, the Asheboro Cultural and Recreation Services Schedule of Deposits, Fees, and Charges (the “Fee Schedule”) is used to determine the amount of money to be collected from individuals and organizations wishing to utilize various cultural and recreation services, including facility/equipment rentals, offered by the city; and

WHEREAS, the recreation services director and the city manager have recommended updating the Fee Schedule to properly reflect the programming and services offered by Asheboro Cultural and Recreation Services, specifically including the additional rentals and programming available at the newly constructed Zoo City Sportsplex; and

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

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

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

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

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

Section 3. This Ordinance shall be in full force and effect upon and after September 8, 2023.

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This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 7th day of September, 2023.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

EXHIBIT 1

ASHEBORO CULTURAL & RECREATION SERVICES

Schedule of Deposits, Fees, and Charges

Adopted:
Effective: September 8, 2023

Denotes Proposed
Changes / Additions

BASEBALL/SOFTBALL FIELD RENTAL	Rec Card Fees	Non-Resident Fees
Rental per hour (no lights)	\$ 15.00	\$ 20.00
Rental per hour (with lights)	\$ 25.00	\$ 35.00
Tournament rentals		
One field facility (per weekend)	\$ 175.00	\$ 225.00
Two field facility (per weekend)	\$ 300.00	\$ 400.00
Concession Stand & Restrooms	\$ 50.00	\$ 65.00
Additional Field Preparation	\$ 45.00	\$ 60.00
DISC GOLF COURSE	Rec Card Fees	Non-Resident Fees
Tournament Rental per Day (8 hours)	\$ 100.00	\$ 175.00
DOWNTOWN FARMERS' MARKET	Applies to All	
Daily Fee - 1 space		\$ 5.00
Daily Fee - 2 spaces (if granted by Market Manager)		\$ 15.00
GATEKEEPER'S HOUSE	Applies to All	
Security Deposit (refundable)		\$ 100.00
Non-Profit / Government Rate (per hour)		\$ 15.00
	Rec Card Fees	Non-Resident Fees
Daily Rate (per hour)	\$ 25.00	\$ 35.00
GOLF COURSE	Rec Card Fees	Non-Resident Fees
Walking Only		
Any Day	\$ 8.00	\$ 10.00
Riding (9 holes) Includes Greens Fees		
Any Day	\$ 15.00 17.00	\$ 18.00 20.00
Riding (18 holes) Includes Greens Fees		
Any Day	\$ 21.00 22.00	\$ 25.00
Twilight (18 holes) After 3pm Daily. Includes cart & green fees.		
Weekday	\$ 16.00 18.00	\$ 20.00 21.00
Membership Rates		
Individual	\$ 365.00	\$ 465.00
Junior Summer (June - August)	\$ 75.00	\$ 125.00
Senior	\$ 290.00	\$ 390.00
Senior Couple	\$ 475.00	\$ 575.00
Family (Up to 4 at the same residence)	\$ 600.00	
Member Cart Fee		
Nine Holes	\$ 6.00 8.00	\$ 7.00 9.00
Eighteen Holes	\$ 11.00 13.00	\$ 13.00 14.00
LAKE LUCAS	Rec Card Fees	Non-Resident Fees
Daily fishing permit	\$ 3.00	\$ 4.00
Annual fishing permit	\$ 35.00	\$ 50.00
Daily Canoe/Kayak rental	\$ 6.00	\$ 10.00
Daily Canoe/Kayak launch fee	\$ 2.50 3.00	\$ 3.50 4.00
Annual Canoe/Kayak launch fee	\$ 35.00	\$ 50.00
Daily Jon boat rental	\$ 8.00 10.00	\$ 12.00 15.00
Daily launch fee	\$ 7.00 8.00	\$ 9.50 10.00
Annual launch fee	\$ 100.00	\$ 135.00
Kayak rental spaces	\$ 60.00	\$ 85.00
Boat rental spaces	\$ 150.00	\$ 200.00
LAKE REESE	Rec Card Fees	Non-Resident Fees
Daily launch fee	\$ 7.00 8.00	\$ 9.50 10.00
Daily Canoe/Kayak launch fee	\$ 2.50 3.00	\$ 3.50 4.00

RECREATION CENTER	Applies to All	
Adult Lap Swim		\$ 2.00
	Rec Card Fees	Non-Resident Fees
Aquatic & Group Fitness Classes	\$ 2.00	\$ 3.00
Class Pass (15 admissions)	\$ 20.00	\$ 35.00
Open Gym Activities	\$ 1.00	\$ 2.00
Senior Programs		
Aquatic & Group Fitness Classes	FREE	\$ 1.00
Lap Swim	FREE	\$ 1.00
Open Gym Activities	FREE	\$ 1.00
Senior Games Practice Activities	FREE	FREE
Rentals		
Security Deposit	\$ 100.00	\$ 100.00
Conference Room Rental (per hour)	\$ 20.00	\$ 30.00
Multipurpose Room Rental (per hour)	\$ 40.00	\$ 60.00
Gym Rental (per hour)	\$ 60.00	\$ 90.00
Pool Rental (2 hours)	\$ 120.00	\$ 180.00
Pool Rental (3 hours)	\$ 180.00	\$ 270.00
* All pool rentals are limited to a maximum capacity of 30 persons.		
* Each pool rental includes 1 Manager, 2 Lifeguards and the use of the party room for food and beverages.		
ROTARY PAVILION AT BICENTENNIAL PARK	Applies to All	
Security Deposit (refundable)		\$ 75.00
Non-Profit / Government Rate		\$ 225.00
Facility / Equipment Signage Rental (event optional)		\$ 20.00
	Rec Card Fees	Non-Resident Fees
Daily Rate	\$ 325.00	\$ 400.00
RUNNING / WALKING EVENTS	Non-Profit Group Fees	Event Fees
Bicentennial Park Certified 5K Course	\$ 225.00	\$ 300.00
Memorial Park Certified 5K Course	\$ 300.00	\$ 400.00
Memorial Park Certified 10K Course	\$ 375.00	\$ 500.00
Non-Conforming Courses (Any course that is not listed above)	\$ 525.00	\$ 700.00
* All Non-Conforming Courses must receive City staff approval.		
Note: Running/Walking Event Fees are in addition to the Facility Rental Fees of each park.		
SHELTER RENTAL	Rec Card Fees	Non-Resident Fees
Eastside, Frazier, Kiwanis, Lake Lucas, Memorial Lower, North Asheboro Park		
1/2 Day: 10am - 3pm or 3:30pm - Dark	\$ 10.00	\$ 20.00
Full Day	\$ 20.00	\$ 40.00
Memorial Park Upper		
1/2 Day: 10am - 3pm or 3:30pm - Dark	\$ 18.00	\$ 35.00
Full Day	\$ 35.00	\$ 70.00
SKATE PARK	Rec Card Fees	Non-Resident Fees
Daily Admission	\$ 1.00	\$ 2.00
15 Admission Pass	\$ 10.00	\$ 25.00
1 Year Unlimited Pass	\$ 150.00	\$ 300.00
Party Room Rental (per hour)	\$ 20.00	\$ 30.00
SUNSET THEATER	Applies to All	
Security Deposit		\$ 100.00
Dark / Rehearsal (Multi day use, 4 hour max)	\$ 60.00 80.00	
General Meeting / Party Rental (4 hour max)	\$ 100.00 125.00	

Annual Canoe/Kayak launch fee	\$ 35.00	\$ 50.00
Annual launch fee	\$ 100.00	\$ 135.00
Daily duck hunting (per boat)	\$ 12.50 15.00	\$ 16.00 20.00

Non-Profit / Government / School Group (Single day use, 8 hour max)	\$ 175.00 225.00
Private Event (8 hour max)	\$ 300.00 375.00
Commercial / For Profit (8 hour max)	\$ 450.00 500.00

ASHEBORO CULTURAL & RECREATION SERVICES

Schedule of Deposits, Fees, and Charges

Adopted:
Effective: September 8, 2023

*Denotes Proposed
Changes / Additions*

SWIMMING POOLS		Applies to All	
Public Swim (day)			
2 years old & under (with paying adult)			FREE
3 years old and above		\$	3.00
Public Swim (night)			
2 years old & under (with paying adult)			FREE
3 years old and above		\$	2.00
Public Lap Swim		\$	2.00
Lifeguard Training Class		\$	225.00
	Rec Card Fees	Non-Resident Fees	
Public Senior Swim	FREE	\$	1.00
Swimming Lessons (group)	\$ 25.00	\$	30.00
Swimming Lessons (private)	\$ 50.00	\$	60.00
Swim Pass (15 admissions)	\$ 30.00	\$	40.00
*Pool Rental (0 - 50 people for 2 hours)	\$ 150.00	\$	225.00
<i>Includes 1 Manager & 2 Lifeguards</i>			
*Pool Rental (0 - 50 people for 3 hours)	\$ 225.00	\$	300.00
<i>Includes 1 Manager & 2 Lifeguards</i>			
*Each Additional Lifeguard	\$ 30.00	\$	30.00

** If party attendance exceeds 50 people, 1 additional lifeguard is REQUIRED for every 25 additional people*

TENNIS CENTER		Applies to All	
Tennis Lessons			
30 - minutes		\$	20.00
45 - minutes		\$	30.00
1 - hour		\$	40.00
	Rec Card Fees	Non-Resident Fees	
Lights per hour per court	\$ 3.00	\$	4.00

YOUTH SPORTS FEES		Rec Card Fees	Non-Resident Fees
Registration Fee	\$	30.00	\$ 50.00
Late Registration Fee	\$	10.00	\$ 10.00

** Late Registration applies to all registration forms received after the advertised registration deadline.*

ZOO CITY SPORTSPLEX		Applies to All	
Security Deposit per Court/Turf Field for Games or Tournaments (per day)		\$	100.00
	Rec Card Fees	Non-Resident Fees	
Field Rental per hour	\$	30.00	\$ 40.00
Field Rental per hour (with lights)	\$	50.00	\$ 60.00
Pickleball Court Rental per hour	\$	5.00	\$ 10.00
Pickleball Court Rental per hour (with lights)	\$	15.00	\$ 20.00
Volleyball Court Rental per hour	\$	20.00	\$ 30.00
Volleyball Court Rental per hour (with lights)	\$	30.00	\$ 40.00
Tournament Rentals (per day)			
		Applies to All	
Pickleball Courts (all)	\$	250.00	
Volleyball Courts (all)	\$	500.00	
1 - Turf Field	\$	400.00	
4 - Turf Fields	\$	2,000.00	
8 - Turf Fields	\$	4,800.00	
Temporary Field Lining per field (new lines)	\$	150.00	
Temporary Field Lining per field (tracing lines)	\$	100.00	

** Temporary Field Lining must have pre-rental approval and is not available for all tournaments.*

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

Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on June 26, 2023

The Asheboro ABC Board met on Monday, June 26, 2023, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC. Present at the meeting were Chairman Steve Knight, Board Member Curtis Shipley, and General Manager Rodney Johnson (GM). A quorum being present, the Chair called the meeting to order for the transaction of business and business transacted as follows:

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

No guests were present at the meeting.

Board Minutes from the June 5, 2023, meeting were reviewed and approved by the Board.

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

The Board will review monthly drafts and EFT payments for June and July 2023 at the August 7, 2023, meeting.

The Board will hear reports for June and July sales at the August 7, 2023, meeting.

The next regular Asheboro ABC Board meeting will be held Monday, August 7, 2023, at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Rodney Johnson, GM, and Approved by the Board

8-7-23


GM





Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on August 7, 2023 (Regular July Meeting)

The Asheboro ABC Board met on Monday, August 7, 2023, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC. Present at the meeting were Chairman Steve Knight, Board Member Bob Morrison, Board Member Curtis Shipley, and General Manager Rodney Johnson (GM). A quorum being present, the Chair called the meeting to order for the transaction of business and business transacted as follows:

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

Board Minutes from the June 26, 2023 (Regular July Meeting), meeting were reviewed and approved by the Board.

Steve Knight and the GM reviewed Board finances and reported all finances remain consistent (sales and expenses). Margins remain consistent while some costs, such as salaries, have increased slightly.

Monthly drafts and EFT payments from June and July 2023 were reviewed by the Board.

Steve Knight was reappointed by the City of Asheboro as Chairman for a period of 3 years ending August 12, 2026.

A decision was made by the Board to review the two grant applications from Keaton's Place and Community Hope Alliance and make a decision at the August 28, 2023, meeting.

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

1. Asheboro ABC sales statistics comparing:
 - June 2023 sales with the previous month indicate:
 - An overall +1.0% change (all sales and tax collections)
 - June 2023 sales with sales from the same month last year indicate:
 - Retail Sales +12.5%
 - Mixed Beverage Sales: +13.6%
 - Sales Tax Collections: +12.5%
 - Overall Collections: +12.65%
 - June 2023 bottle sales with bottle sales from the same month last year indicate:
 - Retail Bottle Sales: +5.1%
 - Mixed Beverage Bottle Sales: +7.3%
 - Overall Bottle Sales: +5.3%

Asheboro ABC Board Minutes August 7, 2023

- July 2023 sales with the previous month indicate:
 - An overall -9.9% change (all sales and tax collections)
- July 2023 sales with sales from the same month last year indicate:
 - Retail Sales +0.9%
 - Mixed Beverage Sales: +4.1%
 - Sales Tax Collections: +0.9%
 - Overall Collections: +1.21%
- July 2023 bottle sales with bottle sales from the same month last year indicate:
 - Retail Bottle Sales: -4.3%
 - Mixed Beverage Bottle Sales: -1.6%
 - Overall Bottle Sales: -4.1%

The next regular Asheboro ABC Board meeting will be held Monday, August 28, 2023, at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Rodney Johnson, GM, and Approved by the Board 8-28-23 
GM

Stephen R Knight

Chris Johnson
Rodney Johnson

ORDINANCE TO AMEND THE GENERAL FUND FY 2023-2024

WHEREAS, the City of Asheboro Fire and Rescue Department was awarded a \$10,000 grant from Randolph County Government to establish a Firefighter's memorial at Station One.

WHEREAS, the City of Asheboro desires to add the funds from this local grant to the Asheboro Fire and Rescue Department budget Building Maintenance and Repair expenditure line item so they can proceed with constructing the memorial.

WHEREAS, the City of Asheboro desires to amend the 2023-2024 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>Increase</u>
10-000-350.0001	Local Grants	10,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-530-515.0000	Maintenance & Repair Buildings	10,000

Adopted this the 7th day of September 2023.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE WATER & SEWER FUND
FY 2023-2024

WHEREAS, in the 2023-2024 adopted budget was funding for the purchase of vehicles in the Wastewater Treatment Plant Budget and the System Maintenance Department Budget.

WHEREAS, the cost for the vehicle in the Wastewater Treatment Plant was less than anticipated and the cost for the vehicle in the System Maintenance Department was more than anticipated.

WHEREAS, the City of Asheboro would like to move excess budgeted allocation for capital outlay from the WWTP budget to the System Maintenance budget.

WHEREAS, the City of Asheboro desires to amend the 2023-2024 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 expense line items be decreased / increased:

<u>Line Item</u>	<u>Description</u>	<u>Change</u>
10-830-574.0000	Capital Outlay	(10,000)
10-870-574.0000	Capital Outlay	<u>10,000</u>
	Net change	<u>0</u>

Adopted this the 7th day of September 2023.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk



RZ-23-12: An application to rezone property located on the north side of Sherwood Avenue (Randolph County Parcel Identification Number 7750340457) from R10 Medium-Density Residential to R10 (CZ) R10 (Conditional Zoning) to allow modification to a previously approved Residential Planned Unit Development.

Staff Report

Planning Board Recommendation & Comments to City Council

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

Case # **RZ-23
-12**

Date 8-7-2023 Planning Bd.

Applicant Larry
 McKenzie

Legal Description

Property located on the northern side of Sherwood Avenue and eastern side of Whitley Street, identified by Randolph County Parcel Identification Number 7750340457, and totaling approximately 1.54 acres +/-.

Requested Action Rezone from R10 (with a Special Use Permit) to R10 (CZ) to establish a setback from the Sherwood Avenue right-of-way that differs from standard R10 setback and to add an exit drive from McLarkling Lane to Sherwood Avenue

Existing Zone R10

Land Development Plan See rezoning staff report.

Planning Board Recommendation

The Planning Board recommended approval of the request.

Reason for Recommendation

The Planning Board concurred with staff reasoning.

Planning Board Comments

Rezoning Staff Report

RZ Case # RZ-23-12

Date 9/7/2023 City Council

General Information

Applicant Larry McKenzie

Address 1021 Sunset Avenue

City Asheboro NC 27203

Phone 336-953-2913

Location north side of Sherwood Avenue

Requested Action Rezone from R10 (with a Special Use Permit) to R10 (CZ) to establish a setback from the Sherwood Avenue right-of-way that differs from standard R10 setback and to add an exit drive from McLarkling Lane to Sherwood Avenue

Existing Zone R10

Existing Land Use Residential Planned Unit Development (Under construction)

Size 1.54 acres +/-

Pin # 7750340457

Applicant's Reasons as stated on application

To allow back decks of homes backing up to Sherwood Avenue to be 19.6 feet from property line. Keeping the property as residential. Better emergency vehicle access to Sherwood Ave. with added exit lane. Original plan was to have concrete patios. Due to the lay of the land, had to switch to decks which are subject to setbacks.

Surrounding Land Use

North Commercial

East Single-family/Two-family

South Single-family/two-family

West Single-family/Commercial

Zoning History In 2019, the applicant was granted a rezoning on a portion of the property from B2 to R10 and a Special Use Permit was issued for a Residential Planned Unit Development (Case No. RZ-19-02 and SUP-19-02)

Legal Description

Property located on the northern side of Sherwood Avenue and eastern side of Whitley Street, identified by Randolph County Parcel Identification Number 7750340457, and totaling approximately 1.54 acres +/-.

Analysis

See Attachment 1.

1. The applicant received a Special Use Permit for construction of a Residential Planned Unit Development in 2019, the final phase of which is under construction. The Planned Unit Development was approved for a total of 29 detached and attached single-family dwellings; only 27 lots and dwellings now are expected.
2. Sherwood Avenue, which provides access to the proposed development, is a local, city-maintained street with a 60' right-of-way. The development includes city-maintained Whitley Street as well as privately maintained streets. The developer is requesting to construct a secondary privately maintained exit-only driveway onto Sherwood Avenue in lieu of the previously proposed turnaround at the end of McLarkling Lane. This proposal was shared with the City's Engineering, Public Works, and Fire & Rescue departments and those departments have raised no objections to this proposal.
3. The zoning ordinance allows an applicant to propose a conditional zoning district that deviates from the zoning ordinance's pre-prescribed requirements, and the code further allows a Residential Planned Unit Development to request changes to "yard and height regulations set forth in Table 4-1 of the Zoning Ordinance. The request seeks to make use of this provision and proposes a 19.5' setback from the right-of-way of Sherwood Avenue; the prior plan utilized the standard R10 setback of 30'. The request is related to a desire to allow decks to the rear of homes that are unable to provide at-grade patios due to grade issues. Per the site plan submitted, these decks would be no less than approximately 40' from the pavement edge of Sherwood Avenue.
4. Prior to the rezoning of a portion of this property from B2 to R10 in 2019, the Land Development Plan Proposed Land Use map designated the property for Commercial Use, along with Neighborhood Residential use. The rezoning changed the Plan's designation of the property in its entirety to "Neighborhood Residential" use.
5. Based on available information, homes on several nearby properties appear to have front setbacks less than the standard 30' district setback.
6. The R10 district is described as 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."
7. The Land Development Plan's Neighborhood Residential Description states that "design elements include building placement close to the street, interconnectivity between neighborhoods, sidewalks, and street trees."
8. Staff returned site plan comments to the developer on the site plan on July 27 and July 28 and received an updated plan on August 3 that currently is under review..

Rezoning Staff Report

RZ Case # RZ-23-12

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 (See Number 4 of analysis)

Small Area Plan Southwest

Growth Strategy Map Designation Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 1: Complies with LDP proposed land use map

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

Checklist Item 5: Complies with Growth Strategy Map

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

Rezoning Staff Report

RZ Case # **RZ-23-12**

LDP Goals/Policies Which Do Not Support Request

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

Staff believes the requested changes to the development plan sought by this application are rational, generally consistent with the pattern of development of the immediately surrounding area and the Land Development Plan, and beneficial to both the community being built and public and private service providers. Several existing dwellings along Sherwood Avenue that are adjacent to the project appear to have front setbacks less than the R10 district typically requires, without any identifiable adverse effects, and approval will allow decks to be constructed on the rear of dwellings with designs that make outdoor living area, a desirable amenity, impractical. Further, additional means of exit from a development can be beneficial to residents, delivery drivers, and emergency providers if done in a safe manner and this rezoning process has allowed city departments to review the proposal to consider and ensure public safety. As of the date of this report, no safety or non-compliance issues have been identified but the plan continues to be evaluated.

Considering these factors, staff believes that the proposed zoning map amendment is reasonable and in the public interest, provided no concerns are raised by city reviewers that are unable to be resolved.

Recommendation Staff recommends approval subject to final endorsement of the site plan.

Rezoning Staff Report

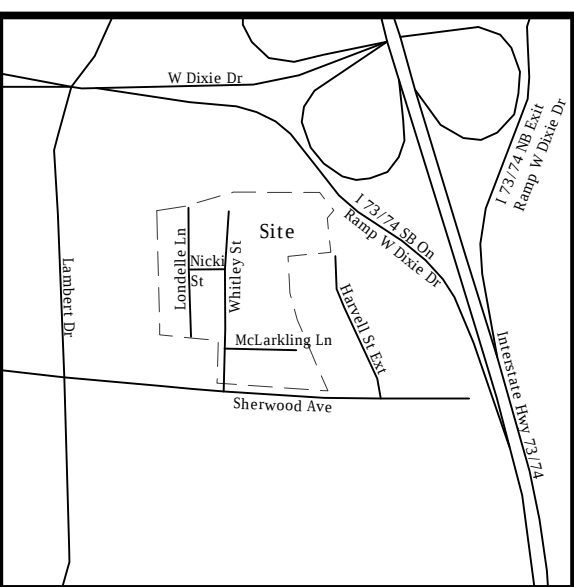
Suggested Conditions for Conditional Zoning applications (subject to change prior to final report)

- (A) The use approved shall be a Residential Planned Unit Development and the site developed consistent with the site plan submitted.
- (B) All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.
- (C) With the exception of the front yard setback along Sherwood Avenue, all setbacks on the approved plan for SUP-19-03 shall remain in full effect.
- (D) Except as explicitly noted to the contrary as public, roads, driveways, parking areas, storm sewer systems, and other improvements shall be maintained by the homeowners' association.
- (E) As required by the City of Asheboro Subdivision Ordinance, a declaration of restrictive covenants prohibiting recreational vehicle parking, inclusive of boats, shall be submitted and recorded with the final plat for the phase affected by this application.
- (F) The exiting driveway shall be constructed in a manner that does not disrupt operation of or damage the city's existing sewer line and shall be connected to Sherwood Avenue in a manner permitted and approved by the City Engineering Department consistent with city driveway permitting standards.
- (G) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute and deliver to the Zoning Administrator for recordation in the Office of the Randolph County Register of Deeds a Memorandum of Land Use Restrictions prepared by the city attorney for the purpose of placing notice of the conditions attached to this Special Use Permit in the chain of title for the Zoning Lot.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	5700.14	105.14	105.14	N 87°50'26" W	1°03'24"
C2	5700.14	214.72	214.71	N 86°01'44" W	2°09'50"
C3	86.37	34.82	34.60	N 12°50'50" E	22°34'38"
C4	140.00	29.27	29.22	N 18°06'51" E	11°58'47"

LINE	BEARING	DISTANCE
L1	S 86°15'50" E	10.20
L2	N 03°44'10" E	10.86
L3	S 03°53'29" E	12.00
L4	S 03°44'10" W	10.78
L5	S 86°15'50" E	10.30
L6	S 86°15'50" E	10.07
L7	N 03°58'06" E	10.54
L8	S 86°15'50" E	12.00
L9	S 03°44'10" W	10.54
L10	S 86°15'50" E	10.30
L11	N 86°15'09" W	10.32
L12	S 03°44'51" W	12.00
L13	N 86°15'09" W	12.00
L14	N 03°44'51" E	12.00
L15	N 86°15'09" W	10.18
L16	N 86°10'22" W	10.18
L17	S 03°49'38" W	12.00
L18	N 86°10'22" W	12.00
L19	N 03°49'38" E	12.00
L20	N 86°10'22" W	10.32
L21	N 86°15'09" W	10.32
L22	S 03°44'51" W	12.00
L23	N 86°15'09" W	12.00
L24	N 03°44'51" E	12.00
L25	N 86°15'09" W	10.18
L26	N 86°10'22" W	10.18
L27	S 03°49'38" W	12.00
L28	N 86°10'22" W	12.00
L29	N 03°49'38" E	12.00
L30	N 86°10'22" W	10.32



Location Map
(Not to Scale)

City of Asheboro to Maintain:

- Streets within public R/W
- Sanitary sewer lines within public street R/W or dedicated easements
- Water lines supplying meters, including meters, storm sewer system within the public street R/W

HOA to Maintain:

- Sanitary sewer lines between public R/W and buildings
- Common areas not within public R/W
- Storm sewer not located in Public street R/W
- Water lines between meters and buildings
- Sidewalks which are not located in public R/W

Site Statistics for West Pointe Townhomes:

- Current Zoning: R-10
- 7.345 Acres Total in Project
- 7 Total Lots in Phase 3
- 1.545 Acres / 67,283 Sq Ft, Total in Phase 3
- 0.327 Acres / 14,215 Sq. Ft. Total in Lots of Phase 3
- Avg Lot Size: 2,030.71 Sq. Ft. of Phase 3
- 5,667 Sq. Ft. Recreation Space (1.73%) Phase 1
- Open Area: 1.326 Acres / 57,776 Sq. Ft. (85.87%) Phase 3
- Common Area: 1.218 / 53,068 (78.87%) Phase 3
- Common Area to Be Rezoned from R10 to R10(CZ).
- PNs: 7750340457
- Deed: 2646 / 1495
- Plat Book: 174 Page: 96
- Linear Feet of McLarking Lane: 187'
- Linear Feet of Ribbon One Way Exit: 164'

Notes:

- NCGS Monuments found within 2000' of property.
- This project is not located within a special flood hazard area.
- Area calculated by coordinate geometry.
- All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
- No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
- Zoning: R-10
- Tax PIN: 7750340845
- No additional outdoor lighting is proposed.
- In addition to proposed crepe myrtle trees, existing front yard vegetation may be preserved in lieu of additional landscaping.

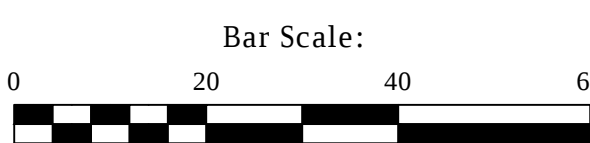
Owners:
MC-MC Properties, LLC
1021 Sunset Ave
Asheboro, NC 27203
336-953-2913

Phase 3 of Site Plan For:

West Pointe Townhome

City of Asheboro
Asheboro Township
North Carolina
Deed Book:2646 Pg:1495
Scale: 1" = 20 US Survey Feet

Randolph County
June 21, 2023
Plat Book:174 Pg:96



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
© 2023 Survey Carolina, PLLC

Job #: 12904

THIS SURVEY IS NOT SUBJECT TO GS 47-30 AND IS NOT TO BE USED FOR RECORDING

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

This survey is of an existing parcel or parcels of land and does not create a new street or change an existing street.

I Dan W Tanner II certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 2646, page 1495; that the boundaries not surveyed are indicated as drawn from information in Book See, page Notes or other reference source is 1:10,000 +/-; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600)."

This 21st day of June, 2023.

Seal

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

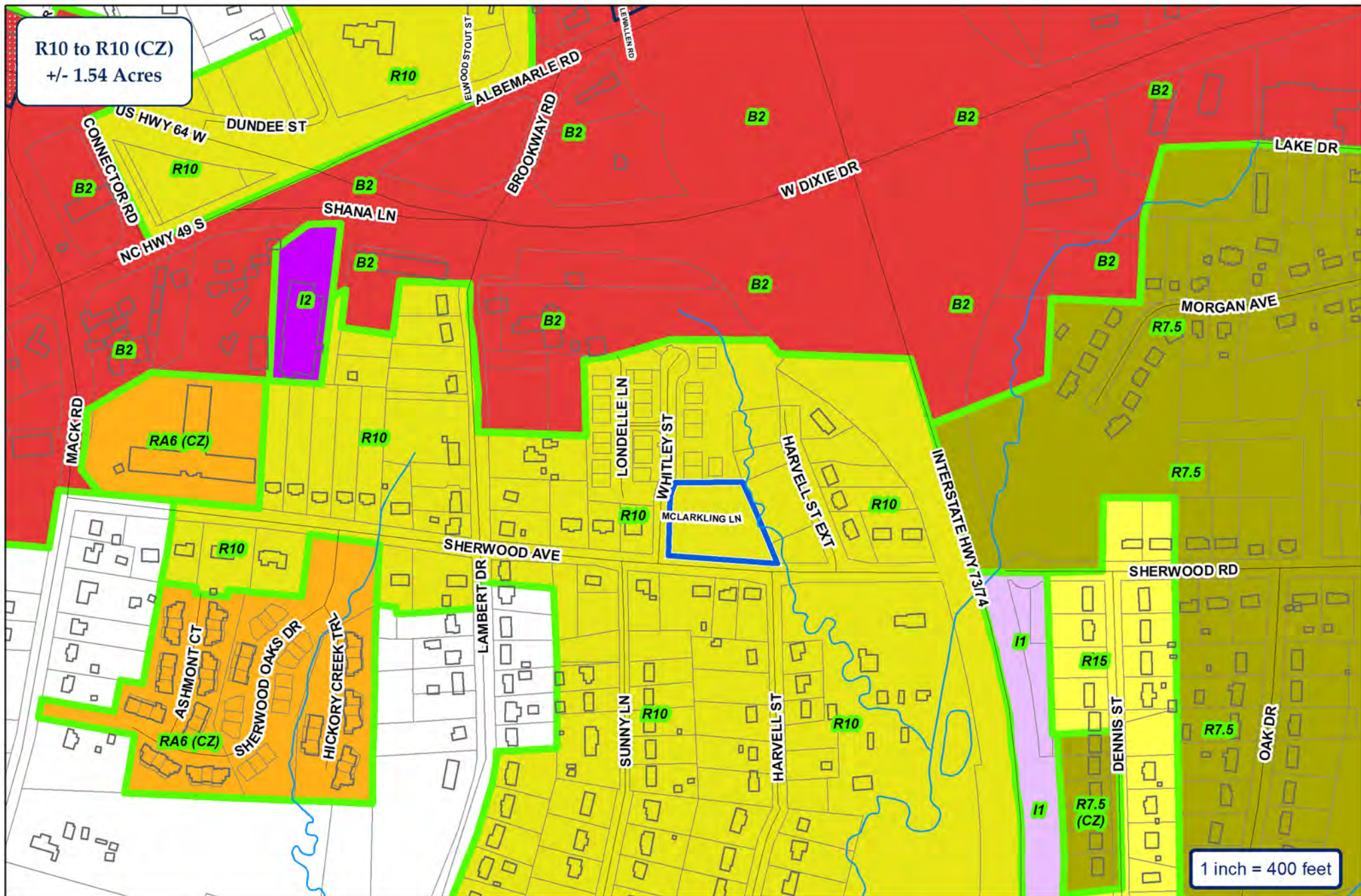
Professional Land Surveyor



I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS / GNSS survey made under my supervision and the following information was used to perform the survey:

- Class of survey: Class A
- Positional accuracy: <0.10'
- Type of GNSS field procedure: Real-Time Kinematic Networks
- Dates of survey: May 24, 2019
- Datum/Epoch: NAD83(2011) / 2010.00
- Published/Fixed-control use: North Carolina Real Time Network
- Geoid model: Geoid 12A
- Combined grid factor(s): 0.99986573
- GPS/GNSS Scale Point: N:704,727.45 E:1,752,874.32 Z:843.24
- Units: US Survey Feet

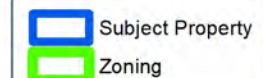
R10 to R10 (CZ)
+/- 1.54 Acres



City of Asheboro Planning & Zoning Department

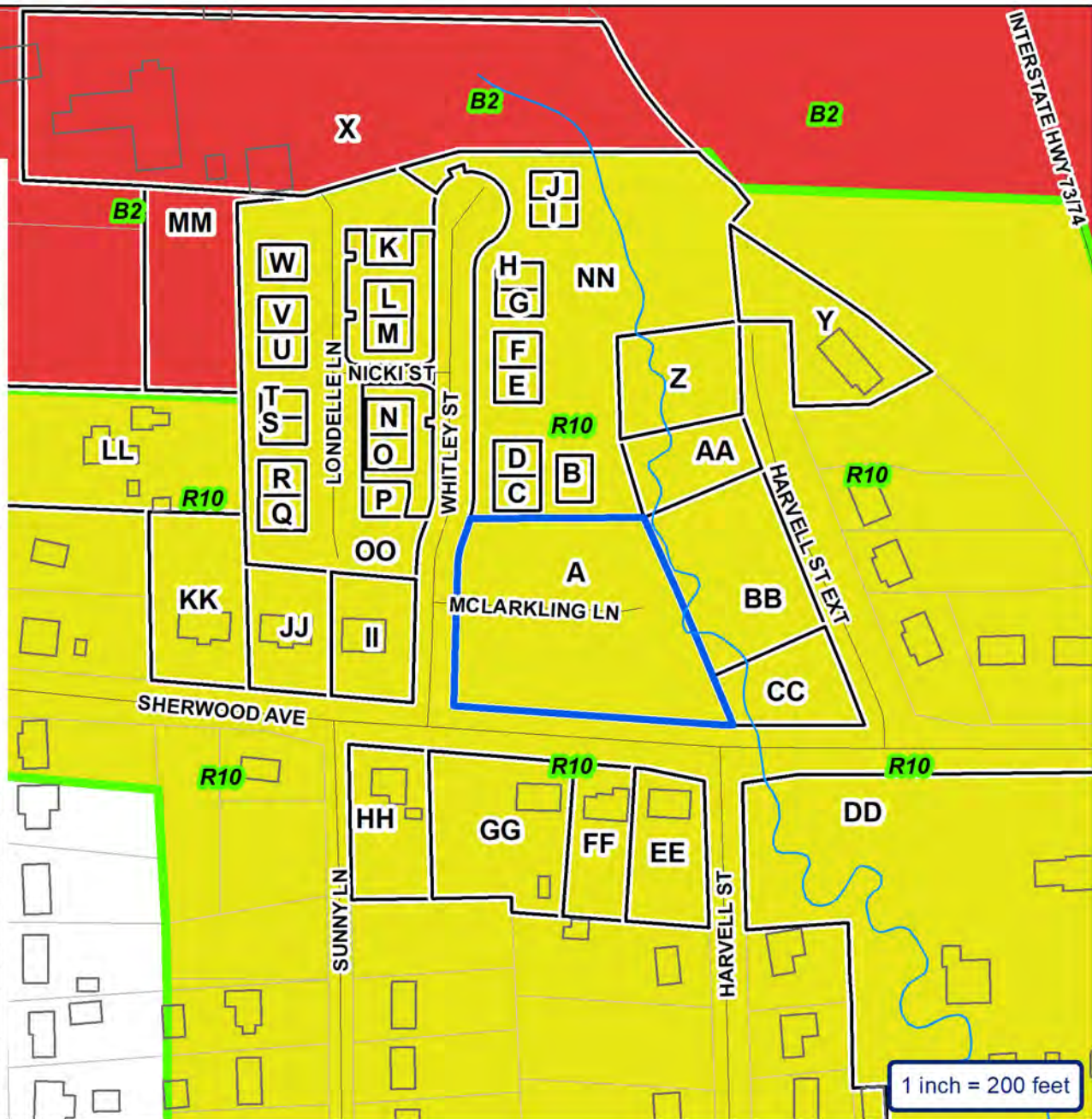
Rezoning Case: RZ-23-12

Parcels: 7750340457



R10 to R10 (CZ)
+/- 1.54 Acres

Map_ID	Owner
A	MCKENZIE, LARRY W (MCKENZIE, CHRISTY B) - Additional Owners
B	HASTY, AMANDA GARNER
C	IVEY, MARK ALAN (IVEY, CHERYL ALBRIGHT)
D	GLASS, MARVIN H (GLASS, ELIZABETH S)
E	ONEAL, ANNE
F	PIERCE, ROBERT C
G	CAMPBELL, TERESA
H	TAZE HOLDINGS LLC
I	MCKENZIE, LARRY W (MCKENZIE, CHRISTY B) - Additional Owners
J	MCKENZIE, LARRY W (MCKENZIE, CHRISTY B) - Additional Owners
K	LUTHER, ALICE
L	SUMMERS, JAMES A JR (SUMMERS, MICHELLE S)
M	WHITE, NANCY S
N	PATTERSON, CHAD R (PATTERSON, ANNETTE R)
O	HARRIS, ALICE MARIE
P	BAKER, CHARLES RANDOLPH
Q	ROBINSON, DOROTHY B TRUSTEE
R	FLOYD, KATRINA CARTER
S	SUGG, CHARLES F (SUGG, MARY HELEN)
T	FOGLEMAN, PATRICIA A
U	MCDONALD, EURANA
V	HUFFSTETLER, DWIGHT JOHNSON
W	HURST, GERALDINE E
X	WHITLEY FAMILY PROPERTIES LLC
Y	LOUISE, JOHN JOSEPH
Z	BLAKE, CHRISTOPHER
AA	STRIDER, GARY B (STRIDER, BARBARA)
BB	DELGADO, MARIO ALBERTO (GALLEGOS, MARIA CHRISTINA)
CC	HENDERSON, AARON C
DD	WHITLEY FAMILY PROPERTIES LLC
EE	CASHATT, ZACHARY G
FF	PELL, JEFFREY BRIAN (MABE, ANGELA RITTER)
GG	FOSTER ST WESLEYAN CHURCH
HH	FARLOW, PHILIP FERRELL
II	M AND S INVESTMENT PROPERTIES LLC
JJ	M AND S INVESTMENTS PROPERTIES LLC
KK	M AND S INVESTMENT PROPERTIES LLC
LL	TSINGER, BOBBIE SWANEY (TSINGER, KENNETH EUGENE)
MM	WHITLEY FAMILY PROPERTIES LLC
NN	MCKENZIE, LARRY W (MCKENZIE, CHRISTY B) - Additional Owners
OO	WEST POINTE TOWNHOME HOA INC



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-12

Parcels: 7750340457

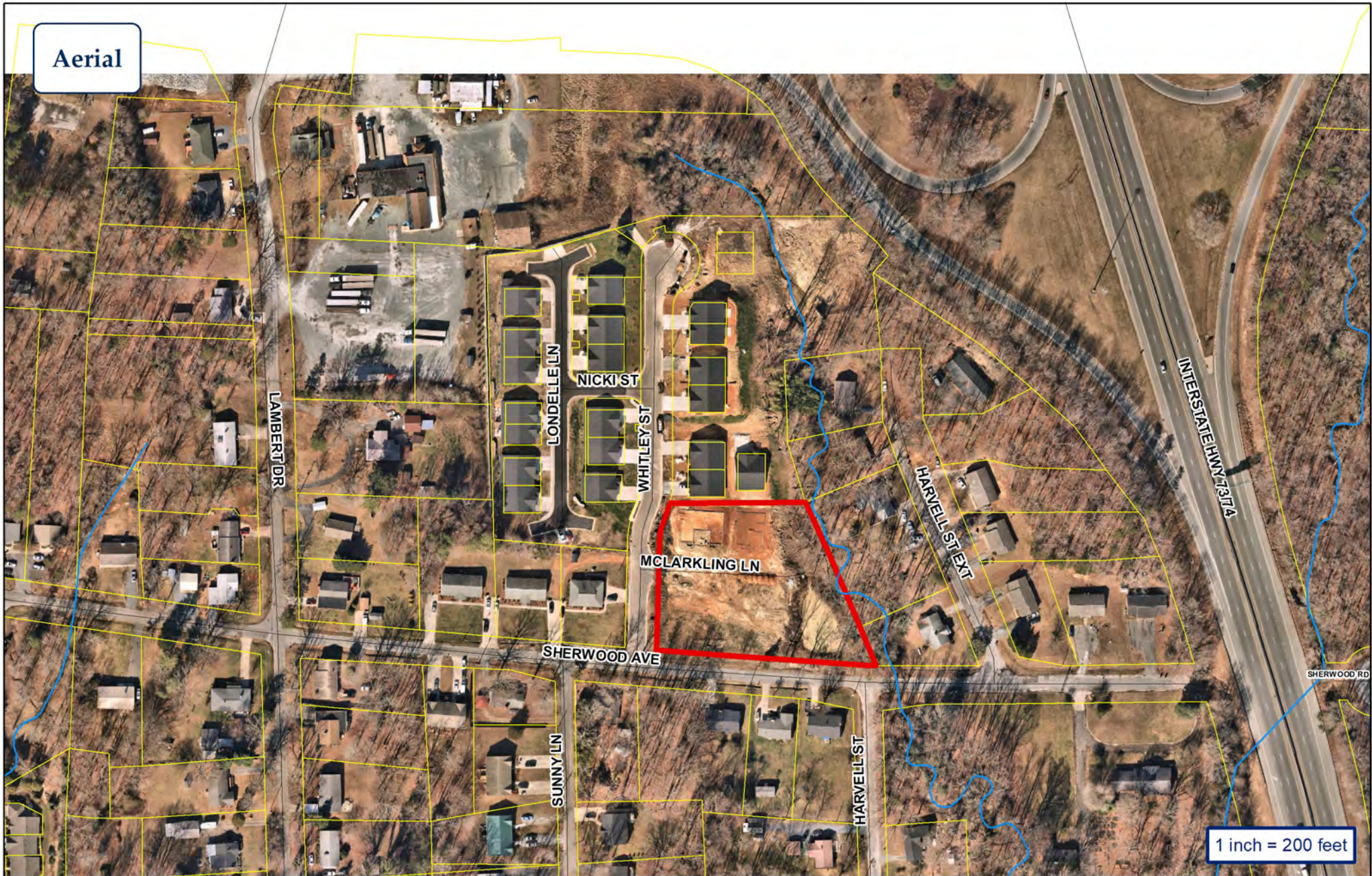


ETJ

- Subject Property
- Adjoining Properties
- City Zoning



Aerial



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-12

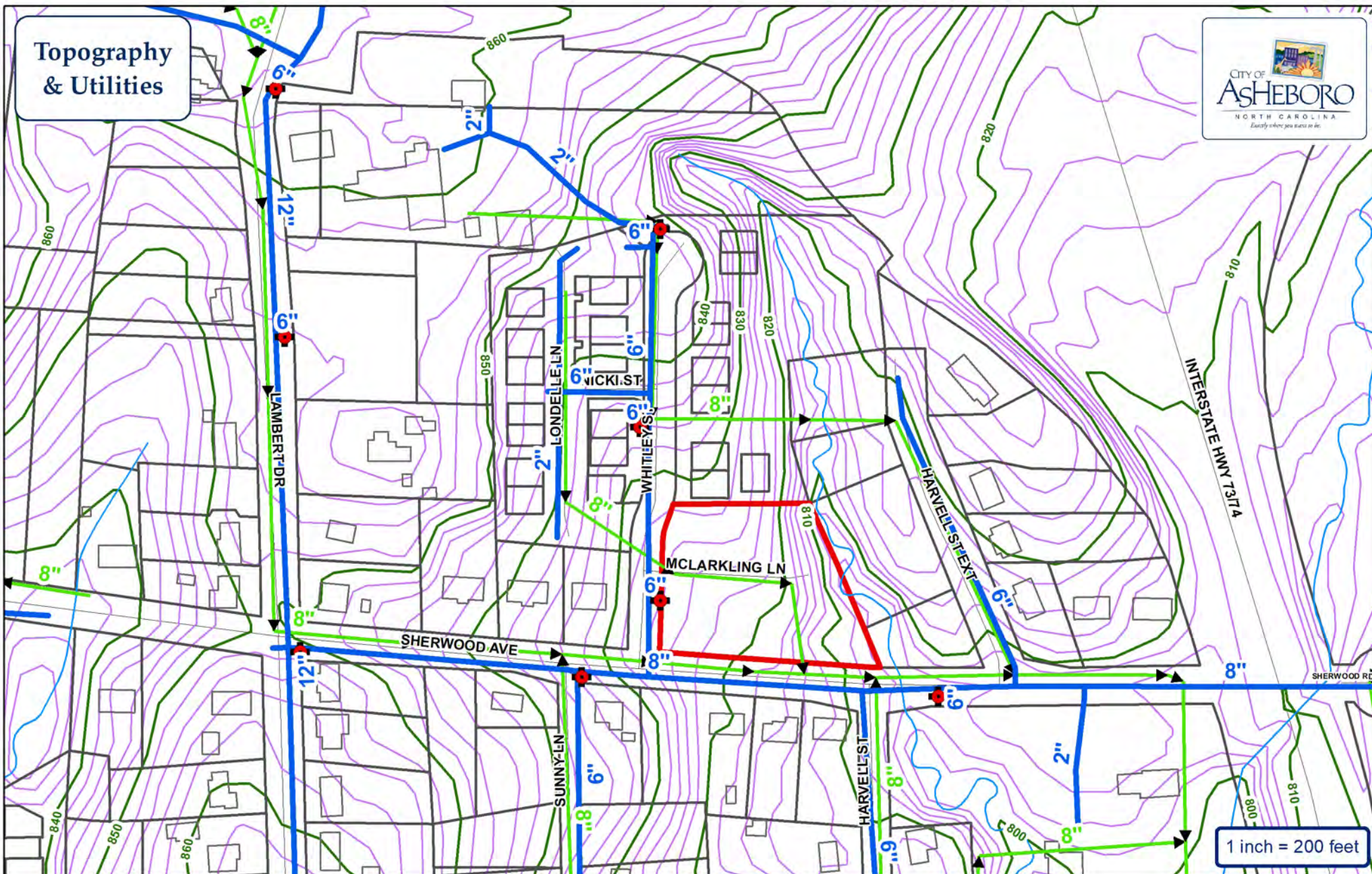
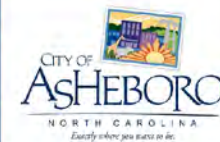
Parcels: 7750340457



 Subject Property



Topography & Utilities



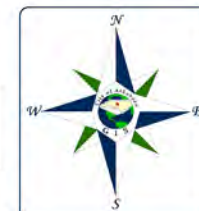
- Water Main
- Sewer Main
- Force Main
- Fire Hydrant
- Pump Station
- Watershed

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-23-12

Parcels: 7750340457

Subject Property



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

APPLICANT INFORMATION

Applicant Larry McKenzie

Applicant's Phone # 336-953-2913

Applicant's Address 1021 Sunset Avenue

Asheboro, NC 27203

Applicant email address: larry@mckenzieproperties.net

PROPERTY INFORMATION

Property Owner's Name: Larry W. McKenzie, Christy B. McKenzie & Other owners; and West Pointe Townhomes HOA, Inc.

Location of Property: North side of Sherwood Avenue *Property Size (ac. or s.f.)* 5.34 acres +/-
Randolph County Property Identification Number (PIN#) 7750340457, 7750340845, & 7750247757

Current Zoning District: R10

Requested Zoning District: R10 (CZ)

Date Property Title Acquired 4-26-2019 and 3-18-2022 (*Deed Date for* DB 2797, PG 2155).

Deed Book; DB 2646 PG 1495 & DB 2797 PG 2155

Subdivision West Pointe Townhomes Section: 1 & 2; *Future Phase* 3 *Lot #:* Common Area

Plat Book: PB 172 (Page 29) and 174 (Page 96)

Page: See PB information

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:

To allow back decks of homes backing up to Sherwood Ave
to be 19.6 feet from property line

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

Keeping the property as residential

For questions (3) and (4), if either of these questions apply, please state a reason. If you believe these do not apply, please check "does not apply".

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

Does not apply ☒

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

Better emergency vehicle access to Sherwood Ave with
added exit lane.

Does not apply ☐

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

Original plan was to have concrete patios, due to the lay of the
land had to switch to decks which are subject to set backs

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

Printed Name of Authorized Signatory (if different from Applicant)

Position/Relationship of Authorized Signatory to Applicant

Owner Signature (if different than Applicant)

James W. McKenye

Owner Address

1095 Bunting Rd
Asheboro NC 27205

Telephone Number

336-953 2913

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

John
Received by: Evans *Date: 6-21-23* *Case Number: RZ-23-12*

**AMENDMENT NO. 2
TO THE
ENGINEERING SERVICES CONTRACT
DATED DECEMBER 13, 2022
BETWEEN
CITY OF ASHEBORO
AND
THE WOOTEN COMPANY
FOR
TRADE STREET RENOVATIONS
TWC PROJECT #2837-V**

The following Amendment shall become a part of the Contract Agreement.

1. DESCRIPTION OF WORK

The Wooten Company (TWC) has been requested to provide electrical design support to convert all the building services from overhead to underground as an addition to the project scope.

The additional Scope of Work will include the following:

- A. Perform a site visit to inventory the meters/sizes, confirm the individual building's service panel locations, evaluate possible gang meter options, etc. TWC will coordinate with the Owner to schedule this visit.
- B. Coordinate with Duke Energy and the City of Asheboro for the future underground conversions.
- C. Provide required electrical drawings (65, 90 & 100%) and specifications, if required, as well as necessary bid quantity items for the final project package.

2. FEE ADJUSTMENT

The fees on the project will be adjusted as follows:

Description	Payment Method	Original Fee	Amendment 1	Amendment 2	Total Fee
Pre-Design Service					
Topographic Survey	Lump Sum	\$9,600.00	\$4,600.00	--	\$14,200.00
Right of Way/Property Verification	Lump Sum	\$5,000.00	\$2,700.00	--	\$7,700.00
Geotechnical Services	Lump Sum	\$7,500.00	\$4,300.00	--	\$11,800.00
Traffic Engineering	Lump Sum	\$18,700.00	\$2,200.00	--	\$20,900.00
Traffic Signal Design	Lump Sum	\$11,000.00		--	\$11,000.00
Subsurface Utility Engineering					
• Utility Designation Services	Hourly/NTE	\$5,300.00	\$3,700.00	--	\$9,000.00
• QLA Test Holes (Potholes / Vacuum Excavation)	Hourly/NTE	\$9,500.00	Excluded	--	\$9,500.00
Pre-Design Services Subtotal		\$66,600.00	\$17,500.00	--	\$84,100.00
Design Services					
SD/DD Phase (65%)	Lump Sum	\$73,000.00	\$25,000.00	\$7,500.00	\$105,500.00
CD Phase (90% Permit Ready)	Lump Sum	\$59,800.00	\$18,000.00	\$4,500.00	\$82,300.00
CD's (100% Plans)	Lump Sum	\$35,600.00	\$13,500.00	\$3,600.00	\$52,700.00
Design Service Subtotal		\$168,400.00	\$56,500.00	\$15,600.00	\$240,500.00
Total Fee		\$235,000.00	\$74,000.00	\$15,600.00	\$324,600.00

3. SIGNATURES

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by duly authorized officials, this Agreement in duplicate on the respective dates indicated below.

CITY OF ASHEBORO

David Smith
Mayor

Date

LE WOOTEN & COMPANY dba
THE WOOTEN COMPANY

W. Brian Johnson, PE
Vice President

7/13/23

Date

PRE-AUDITED STATEMENT

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

Finance Officer: _____

Date: _____

ORDINANCE TO AMEND
STATE CAPITAL INFRASTRUCTURE GRANT FUND
FY 2023-2024

WHEREAS, in January 2022, The City of Asheboro was awarded a State Capital Infrastructure Fund (SCIF) Directed Grants in the amount of \$1,500,000 for repairs and renovations of downtown facilities.

WHEREAS, in May 2022, the City of Asheboro's completed a scope of work and grant agreement assigning the purpose of these funds to be for the trade street renovation project.

WHEREAS, the current contract for The Wooten Company for design services for the project is \$309,000.

WHEREAS, the City of Asheboro has requested to expand the scope of work in the Wooten Company contract to include electrical design support to convert all the building services from overhead to underground.

WHEREAS, the cost of change order #2 is \$15,600.

WHEREAS, with the approval of change order #2, the total contract with The Wooten Company is \$324,600.

WHEREAS, the City of Asheboro desires to amend the State Capital Infrastructure Grant Fund 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 expense line items be decreased / increased:

<u>Line Item</u>	<u>Description</u>	<u>(Decrease)</u> <u>Increase</u>
67-700-500.0000-67	Downtown Facilities – Unassigned	(15,600)
67-700-500.0001-67	Downtown Facilities - Engineering	15,600
	Net Change	<u>0</u>

ORDINANCE TO AMEND
STATE CAPITAL INFRASTRUCTURE GRANT FUND
FY 2023-2024

Adopted this the 7th day of September 2023.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

**ORDINANCE TO AMEND
THE GENERAL FUND
FY 2023-2024**

WHEREAS, the City of Asheboro wishes to allocate funding for Change order 9 in the amount of \$430,250 between the City of Asheboro and Terry's Plumbing and Utilities.

WHEREAS, Change order 9 contains work that is classified as general fund activities and work that is classified as water & sewer fund activities.

WHEREAS, Change order 9 includes \$288,500 for the construction of the "shell only" for the new recreation office which is a general fund activity.

WHEREAS, Change order 9 includes \$110,000 to construct additional asphalt parking lots and concrete sidewalk around field 1 and the proposed recreation office which is a general fund activity.

WHEREAS, Change order 9 does not include the cost of ABC stone and concrete flatwork that will be needed for the asphalt parking lot and concrete sidewalk and which will be added later based on market prices.

WHEREAS, the General Fund needs to be amended to appropriate funding for all of the above referenced costs.

WHEREAS, funding for this will come as an appropriation of General Fund balance.

WHEREAS, the City Council of the City of Asheboro desires to be in compliance with all generally accepted accounting principles to incorporate new expenditures outline above, and

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

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

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-000-399.0000	Fund Balance Appropriation	\$398,500

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

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-620-574.7400	Contribution to Zoo City Sportsplex Fund	\$398,500

ORDINANCE TO AMEND
THE GENERAL FUND
FY 2023-2024

Adopted this 7th day of September 2023.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE WATER & SEWER FUND
FY 2023-2024

WHEREAS, the City of Asheboro wishes to allocate funding for Change order 9 in the amount of \$430,250 between the City of Asheboro and Terry's Plumbing and Utilities.

WHEREAS, Change order 9 contains work that is classified as general fund activities and work that is classified as water & sewer fund activities.

WHEREAS, change order 9 includes \$31,750 for approximately 625 LF 4"PVC sewer and approximately 450 LF 1" psi roll pipe water service to server the new restroom at Field #2 which is a water & sewer fund activity.

WHEREAS, the City of Asheboro desires amend the 2022-2023 Water & Sewer Fund operating 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 following revenue and expense line items are changed as follows:

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

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
30-000-399.0000	Fund Balance Appropriation	\$31,750

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

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
30-870-574.7400	Contribution to ZCSP fund	\$31,750

Adopted this 7th day of September, 2023.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ORDINANCE TO AMEND
THE ZOO CITY SPORTSPLEX FUND
FY 2023-2024

WHEREAS, the City of Asheboro wishes to allocate funding for Change order 9 in the amount of \$430,250 between the City of Asheboro and Terry's Plumbing and Utilities.

WHEREAS, Change order 9 contains work that is classified as general fund activities and work that is classified as water & sewer fund activities.

WHEREAS, Change order 9 includes \$288,500 for the construction of the "shell only" for the new recreation office which is a general fund activity.

WHEREAS, Change order 9 includes \$110,000 to construct additional asphalt parking lots and concrete sidewalk around field 1 and the proposed recreation office which is a general fund activity.

WHEREAS, Change order 9 does not include the cost of ABC stone and concrete flatwork that will be needed for the asphalt parking lot and concrete sidewalk and which will be added later based on market prices.

WHEREAS, change order 9 includes \$31,750 for approximately 625 LF 4"PVC sewer and approximately 450 LF 1" psi roll pipe water service to server the new restroom at Field #2 which is a water & sewer fund activity.

WHEREAS, the Zoo City Sportsplex fund needs to be amended to recognize and appropriate revenue and expenses relating to this work.

WHEREAS, the City Council of the City of Asheboro desires to be in compliance with all generally accepted accounting principles to incorporate new expenditures outline above, and

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

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

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
74-000-370.0000-74	Contribution from General Fund	\$398,500
74-000-300.3000-74	Contribution from W&S fund	31,750
		\$430,250

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

<u>Account #</u>	<u>Expense Description</u>	<u>Increase / decrease</u>
74-000-400.9001-74	Construction	430,250

ORDINANCE TO AMEND
THE ZOO CITY SPORTSPLEX FUND
FY 2023-2024

Adopted this 7th day of September 2023.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

PROJECT ORDINANCE
Wolfspeed Grant Fund
FY 2023-2024

WHEREAS, the City of Asheboro received a direct allocation of \$55 million from the North Carolina Legislature in the 2022-23 state budget to extend water service to Wolfspeed at the Chatham Advanced Manufacturing (CAM) site and the project will include all improvements necessary to convey water demand agreed to in the Memorandum of Understanding between the NC Department of Commerce and the City executed on February 22, 2023.

WHEREAS, the proposed water main will extend from the terminus of the Asheboro water line on US Hwy 64 East and extend approximately twelve (12) miles along US Hwy 64 East through Franklinville, Ramseur, and Randolph County and the proposed water main (size yet to be determined) will convey approximately 3 to 5 million gallons per day (MGD).

WHEREAS, although the proposed corridor is primarily located within NCDOT right-of-way, there will be multiple stakeholders requiring various levels of coordination.

WHEREAS, the City intends to utilize the Progressive Design-Build method which will include the services of an Owner's advisor to provide expertise to staff for the design-build process, A design-build team who will be selected based on qualifications, and a contract that will be negotiated to complete the project prior to its mandatory completion date of January 1, 2026.

WHEREAS, the City of Asheboro desires to set up a Special Revenue Fund to account for the funding and the expenses related to these grants, and;

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

Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Project Ordinance is adopted:

Section 1: The Wolfspeed Grant Fund is hereby authorized as a project with current revenues and expenditures projected as listed below.

Section 2: The officers of the City of Asheboro are hereby authorized to proceed with the project within the terms of the agreement approved by the City Council and the budget contained herein.

Section 3: The following revenues are anticipated to be available at this time for this project:

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
61-300-0000	State Grant	\$55,000,000

PROJECT ORDINANCE
Wolfspeed Grant Fund
FY 2023-2024

Section 4: The following amounts are appropriated as expenditures for this project:

That the following Expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
61-400-0000	Engineering	12,000,000
61-425-0000	Construction	37,000,000
61-450-0000	Administration	1,000,000
61-475-0000	Contingency	5,000,000
	Total	<u>\$55,000,000</u>

Adopted this the 7th day of September 2023.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk