

**REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, ASHEBORO CITY HALL
THURSDAY, NOVEMBER 7, 2024
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	)
Charles A. Swiers	)
W. Joseph Trogon, Jr.	)

John N. Ogburn, III, City Manager
Robert L. Brown, Jr., Chief of Police
Alyssa R. Chapuis, Public Information Officer
Timothy E. Cockman, Deputy Fire Chief
Holly H. Doerr, CMC, NCCMC, City Clerk
John L. Evans, Community Development Director
Charles J. Garner, Code Enforcement Officer
Michael H. Jones, Police Captain
Douglas P. Kemp, Human Resources Director
Michael L. Leonard, PE, City Engineer
Trevor L. Nuttall, Assistant City Manager
Deborah P. Reaves, Finance Director
Michael D. Rhoney, PE, Water Resources Director
Jonathan M. Sermon, Recreation Services Director
Jeffrey C. Sugg, City Attorney
Kristen P. Terry, Human Resources Generalist
Willie Summers, Fire Chief

1. Call to Order

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

2. Moment of Silent Prayer and Pledge of Allegiance

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

3. Public Comment Period

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

During this portion of the meeting, Mayor Smith recognized students that were in attendance as a requirement of the Student LIFT program.

Mayor Smith then closed the public comment period.

4. 2024 Gold HIRE Vets Medallion Award

Human Resources Generalist Kristen Terry announced that the city was awarded the 2024 Gold HIRE Vets Medallion Award. This award is sponsored by the US Department of Labor.

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

5. Report in Regard to Randolph Community College

Ms. Linda Brown, who is the Strategic Planning and Development Officer for Randolph Community College, announced that the college has been ranked the #1 community college in North Carolina.

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

6. Discussion and Report of the Assistance Provided by Asheboro Personnel in Western North Carolina

Chief Brown and Chief Summers reported on the assistance provided by the Asheboro Police Department and Asheboro Fire and Rescue Department during relief efforts in Western North Carolina after Hurricane Helene. Teams from both departments assisted emergency personnel in the Asheville Area, including in Montreat, Swannanoa, and Black Mountain.

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

7. Consent Agenda

Council Member Burks moved, and Council Member Heath seconded the motion to approve/adopt the following consent agenda items. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

(a) Approval of the City Council Meeting Minutes for September 5, 2024

The meeting minutes for the city council's regular meeting on September 5, 2024, were approved and have been filed in the city clerk's office. An electronic copy of the approved document has been placed on the city's website.

(b) Approval of the City Council Meeting Minutes for October 8, 2024

The meeting minutes for the city council's special meeting on October 8, 2024, were approved and have been filed in the city clerk's office. An electronic copy of the approved document has been placed on the city's website.

(c) Approval of the General Account of a Closed Session Held During the Special City Council Meeting on October 8, 2024

The general account of the closed session that was held during the special city council meeting on October 8, 2024, was approved and has been filed in the city clerk's office.

- (d) **Approval of a Resolution Sealing the General Account of the Closed Session Held on October 8, 2024**

RESOLUTION NUMBER 24 RES 11-24

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**Resolution Sealing the General Account of a
Closed Session Held on October 8, 2024**

WHEREAS, Section 143-318.10(e) of the North Carolina General Statutes provides, in pertinent part, that the “minutes or an account of a closed session conducted in compliance with G.S. 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session;” and

WHEREAS, pursuant to Section 143-318.11(a)(6) of the North Carolina General Statutes, the city council, upon unanimous adoption of a properly made and seconded motion, went into closed session on October 8, 2024, to consider the qualifications of prospective candidates to serve as the next city manager; and

WHEREAS, the purpose for going into closed session on October 8, 2024, would be frustrated if the general account of the closed session were to be made available for public inspection at this time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the general account of the closed session conducted on October 8, 2024, is hereby sealed and will remain sealed so long as public inspection of this record would frustrate the purpose of the closed session; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the city manager is authorized to act as the council’s agent with the authority to unseal the record, in whole or in part, when the purpose of the closed session would no longer be frustrated by making an identified section of the record available for public inspection or when the unsealing of the record is otherwise required by law.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on November 7, 2024.

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

ATTEST:

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

- (e) **Approval of the City Council Meeting Minutes for October 10, 2024**

The meeting minutes for the city council’s regular meeting on October 10, 2024, 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.

- (f) **Approval of the Community Development Division’s Request to Schedule for December 5, 2024, and to Advertise Legislative Hearings for the Following Cases:**

- (i) **An application to rezone property located at 1449 and 1453 Old Liberty Road (Randolph County Parcel Identification Numbers 7773034780 and 7773035627) from R10 Medium-Density Residential to I1 Light Industrial.**

- (ii) **An application to rezone property located at 305 Old Liberty Road (Randolph County Parcel Identification Number 7762059321) from B2 General Commercial and R10 Medium-Density Residential to R10 on the entire parcel.**
- (g) **Approval of a Resolution Seeking the Appointment of Justin Luck, Planning and Zoning Director, as a Review Officer Consistent with N.C.G.S. 47-30.2**

25 RES 11-24

**RESOLUTION REQUESTING THE APPOINTMENT
OF A REVIEW OFFICER**

WHEREAS, G.S. 47-30.2 requires the Board of County Commissioners in each County, by resolution, to appoint Review Officers responsible for reviewing each plat before it is recorded and certifying that it meets the statutory requirements for recording; and

WHEREAS, it is the desire of the Asheboro City Council to ensure an expeditious review of all maps and plats as required by G.S. 47-30.2 before they are presented to the Register of Deeds for recording; and

NOW, THEREFORE, BE IT RESOLVED, that the Asheboro City Council hereby requests the appointment of Asheboro Planning and Zoning Director Justin Luck as a Review Officer authorized to perform all duties as required of such officers as outlined by the appropriate North Carolina General Statutes.

This resolution was duly adopted by the Asheboro City Council in open session during a regular meeting held on the 7th day of November, 2024.

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

ATTEST:

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

- (h) **Acknowledgement of the Receipt of the Monthly Report Detailing Major Subdivisions Administratively Approved.**

There have been none approved.

- (i) **Authorization to Enter into an Agreement with Piedmont Triad Regional Council for Administrative Services Pertaining to the CASPN Homes Community Development Block Grant**

A copy of the approved agreement with Piedmont Triad Regional Council is on file in the community development division.

- (j) **Approval of a Resolution Ratifying the Building Inspections and Planning and Zoning Schedules of Fees Previously Established with the Adoption of the FY 24-25 Budget Ordinance.**

RESOLUTION NUMBER _____ **26 RES 11-24**

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

RESOLUTION AMENDING THE SCHEDULE OF FEES FOR BUILDING INSPECTIONS AS WELL AS PLANNING AND ZONING

WHEREAS, Chapter 150 of the Code of Asheboro contains regulations pertaining to buildings and regulatory activities performed by the City of Asheboro Building Inspections Department; and

WHEREAS, Section 150.25(d)(2) of the Code of Asheboro addresses the issue of permit fee amounts charged in connection with building inspections by providing as follows:

§ 150.25 *PERMITS*

(D) Permit fees.

- (2) *The City Council may, by resolution from time to time, prepare schedules of fees for permits issued pursuant to this chapter and for which a fee is not provided or prohibited by state law. Copies of such schedules shall be posted for public information in the office of the Building Inspector; and*

WHEREAS, the City of Asheboro Zoning Ordinance addresses the issue of fee amounts by providing in Section 2.03(A)(2)(c)(i), with regard to the fee schedule, that “fees for filing applications shall be set by resolution of the City Council and kept in the Planning and Zoning Department Office;” and

WHEREAS, during the annual budget preparation and approval process for fiscal year 2024-2025, a proposed schedule of permit fees for the Building Inspections Department (the “Building Inspections Fee Schedule”) was presented to the Asheboro City Council and approved with the adoption of the annual budget ordinance on June 27, 2024; and

WHEREAS, during the annual budget preparation and approval process for fiscal year 2024-2025, a proposed schedule of permit fees for the City of Asheboro Planning and Zoning Department (the “Planning and Zoning Fee Schedule”) was presented to the Asheboro City Council and approved with the adoption of the annual budget ordinance on June 27, 2024; and

WHEREAS, the Building Inspections Fee Schedule approved by the city council on June 27, 2024, with an effective date of January 1, 2025, is attached to this Resolution as EXHIBIT 1; and

WHEREAS, the Planning and Zoning Fee Schedule approved by the city council on June 27, 2024, with an effective date of January 1, 2025, is attached to this Resolution as EXHIBIT 2; and

WHEREAS, it is advisable to provide stand-alone ratification of the above-listed fee schedules that were approved as part of the comprehensive budget ordinance for fiscal year 2024-2025.

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

Section 1. The Building Inspections Fee Schedule attached to this Resolution as EXHIBIT 1 is hereby ratified.

Section 2. The Planning and Zoning Fee Schedule attached to this Resolution as EXHIBIT 2 is hereby ratified.

Section 3. The fee schedules ratified by this Resolution supersede fee amounts ratified prior to the adoption of the city's annual budget ordinance for fiscal year 2024-2025.

Section 4. The fee schedules attached to this Resolution as EXHIBIT 1 and EXHIBIT 2 shall be in full force and effect upon and after January 1, 2025.

The Asheboro City Council approved this Resolution in open session during a regular meeting held on November 7, 2024.

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

ATTEST:

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

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

- (k) **Approval of an Ordinance Ratifying the Fire Prevention Department Schedule of Fees Previously Established with the Adoption of the FY 24-25 Budget Ordinance**

ORDINANCE NUMBER 35 ORD 11-24

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

ORDINANCE AMENDING THE SCHEDULE OF FEES AND PENALTIES FOR THE FIRE PREVENTION DEPARTMENT

WHEREAS, Section 95.05 of the Code of Asheboro addresses the issue of fee amounts in the City of Asheboro Fire Prevention Department, which is also interchangeably referred to as the Fire Prevention Bureau, by providing as follows:

§ 95.05 PERMIT FEES

During the municipal corporation's annual budget process, the Chief Fire Inspector, under the general supervision of the Community Development Director, is authorized to submit to the City Manager a schedule of fees for permits issued by personnel in the Fire Prevention Bureau. If the City Manager deems the schedule of permit fees submitted by the Chief Fire Inspector to be reasonable, the Manager may submit the proposed schedule of permit fees to the City Council for review. If a proposed schedule of permit fees is adopted by the City Council, the City Manager shall designate the city official to whom the approved permit fees are to be paid. A copy of the approved schedule of permit fees shall be maintained in the office of the City Clerk and in the office of the Chief Fire Inspector; and

WHEREAS, during the annual budget preparation and approval process for fiscal year 2024-2025, a proposed schedule of fees identified as the Fire Prevention Department Fees and Penalties (the "Fee Schedule") was presented to the Asheboro City Council and approved with the adoption of the annual budget ordinance on June 27, 2024; and

WHEREAS, the Fee Schedule approved by the city council on June 27, 2024, with an effective date of January 1, 2025, is attached to this Ordinance as EXHIBIT 1; and

WHEREAS, it is advisable to provide stand-alone ratification of the Fee Schedule approved in the comprehensive budget ordinance for fiscal year 2024-2025.

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

Section 1. The Fee Schedule attached to this Ordinance as EXHIBIT 1 is hereby ratified.

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

Section 3. The Fee Schedule attached to this Ordinance as EXHIBIT 1 shall be in full force and effect upon and after January 1, 2025.

The Asheboro City Council approved this Ordinance in open session during a regular meeting held on November 7, 2024.

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

ATTEST:

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

[The exhibit referenced in the preceding ordinance is on file in the city clerk’s office.]

- (l) Approval of an Ordinance Ratifying the Schedule of Fees Established for Subdivision Ordinance Related Activities with the Adoption of the FY 24-25 Budget Ordinance

ORDINANCE NUMBER 36 ORD 11-24

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**ORDINANCE AMENDING THE SCHEDULE OF FEES FOR LAND USE
REGULATORY ACTIVITIES TIED TO THE SUBDIVISION ORDINANCE OF THE
CITY OF ASHEBORO**

WHEREAS, consistent with Chapter 160D of the North Carolina General Statutes, the Subdivision Ordinance of the City of Asheboro, North Carolina has established procedures and standards for the development and subdivision of land within the territorial jurisdiction of the City of Asheboro; and

WHEREAS, from an administrative standpoint, the City of Asheboro Planning and Zoning Department is the component of the municipal corporation charged with implementing review procedures (i.e., plat review) necessary for the subdivision ordinance to function as intended by the city council; and

WHEREAS, during the annual budget preparation and approval process for fiscal year 2024-2025, a proposed schedule of fees focused on the City of Asheboro Planning and Zoning Department was presented to the Asheboro City Council and approved with the adoption of the annual budget ordinance on June 27, 2024; and

WHEREAS, the schedule of fees approved for the City of Asheboro Planning and Zoning Department contained certain fees tied to the subdivision ordinance; and

WHEREAS, the schedule of fees specifically tied to the implementation of review activities prescribed by the Subdivision Ordinance of the City of Asheboro, North Carolina will be hereinafter referred to as the “Subdivision Fee Schedule” that was approved by the Asheboro City Council on June 27, 2024, with an effective date of January 1, 2025; and

WHEREAS, the Subdivision Fee Schedule is attached to this Ordinance as EXHIBIT 1; and

WHEREAS, it is advisable to provide stand-alone ratification of the Subdivision Fee Schedule approved in the comprehensive budget ordinance for fiscal year 2024-2025.

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

Section 1. The Subdivision Fee Schedule attached to this Ordinance as EXHIBIT 1 is hereby ratified.

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

Section 3. The Subdivision Fee Schedule attached to this Ordinance as EXHIBIT 1 shall be in full force and effect upon and after January 1, 2025.

The Asheboro City Council approved this Ordinance in open session during a regular meeting held on November 7, 2024.

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

ATTEST:

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

[The exhibit referenced in the preceding ordinance is on file in the city clerk's office.]

- (m) **Approval of an Ordinance Amending Section 150.25(D)(3) in the Code of Asheboro to Align this Subsection with a Fee Provision in the Adopted FY 24-25 Budget Ordinance**

ORDINANCE NUMBER 37 ORD 11-24

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

ORDINANCE AMENDING SECTION 150.25(D)(3) IN
THE CODE OF ASHEBORO

WHEREAS, Chapter 150 of the Code of Asheboro contains regulations pertaining to buildings and regulatory activities performed by the City of Asheboro Building Inspections Department; and

WHEREAS, Section 150.25 of the Code of Asheboro addresses administrative issues relevant to permits issued by the City of Asheboro Building Inspections Department; and

WHEREAS, Section 150.25(D)(3) of the Code of Asheboro addresses a specific permit fee issue by providing as follows:

§ 150.25 PERMITS

(D) Permit fees.

- (3) *A fee of \$25 for each inspection visit after the required inspections plus one inspection. A charge of \$25 is also for failure to call for a final inspection before occupancy of any building under a permit; and*

WHEREAS, during the annual budget preparation and approval process for fiscal year 2024-2025, a proposed schedule of permit fees for the Building Inspections Department (the “Building Inspections Fee Schedule”) was presented to the Asheboro City Council and approved with the adoption of the annual budget ordinance on June 27, 2024; and

WHEREAS, the approved Building Inspections Fee Schedule has an effective date of January 1, 2025; and

WHEREAS, Section 150.25(D)(3) of the Code of Asheboro must be amended to conform to fees listed in the approved Building Inspections Fee Schedule.

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

Section 1. Section 150.25(D) of the Code of Asheboro is hereby rewritten to provide as follows:

§ 150.25 PERMITS

(D) Permit fees.

- (1) Except as may be provided otherwise by state law in any case, the applicant for any permit required by this chapter shall pay to the Building Inspector, prior to the issuance of the permit, such fee therefor as provided in division (2) of this section.
- (2) The City Council may, by resolution from time to time, prepare schedules of fees for permits issued pursuant to this chapter and for which a fee is not provided or prohibited by state law. Copies of such schedules shall be posted for public information in the office of the Building Inspector.
- ~~(3) A fee of \$25 for each inspection visit after the required inspections plus one inspection. A charge of \$25 is also for failure to call for a final inspection before occupancy of any building under a permit.~~
- (3) A fee of \$50.00 for each inspection visit after the required inspections plus one inspection.

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

Section 3. This Ordinance shall take effect and be in full force from and after January 1, 2025.

The Asheboro City Council approved this Ordinance in open session during a regular meeting held on November 7, 2024.

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

ATTEST:

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

- (n) **Approval of a Resolution Awarding to Master Police Officer Michael C. Fulk, Upon His Retirement from the Asheboro Police Department, His Service Side Arm**

RESOLUTION NUMBER 27 RES 11-24

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**A RESOLUTION AWARDING TO MICHAEL C. FULK
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 career with the Asheboro Police Department, which began on February 16, 2007, Asheboro Master Police Officer Michael C. Fulk will begin his retirement from employment with the city on December 1, 2024; and

WHEREAS, pursuant to and in accordance with Section 17F-20 of the North Carolina General Statutes, the Asheboro City Council wishes to recognize and honor Officer Fulk 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 December 1, 2024, in consideration of the combination of his dedicated service to the City of Asheboro and the payment to the city of \$1.00, Michael C. Fulk is to be awarded ownership of his city-issued service side arm (a Glock model 45 9mm with serial no. BLKC027 and three magazines) upon a determination by the police department command staff that Mr. Fulk 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 November 7, 2024.

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

ATTEST:

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

8. Update on the Proposed Emergency Operations Center – Fire Station No. 3

- (a) **A Review of the Ongoing Efforts to Obtain a Memorandum of Understanding with FEMA Related to Federal Funding**

Chief Summers reported that all pertinent documentation has been submitted to secure federal funding for the construction of the proposed emergency operations center – fire station no. 3. Additional updates will be provided as the process continues forward.

- (b) **Request for Authorization for Stewart-Cooper-Newell to Proceed with Design Services**

Chief Summers requested authorization for Stewart-Cooper-Newell, the project's architectural firm, to proceed with design services in accordance with the proposal received. The new fire station no. 3 and emergency operations center, approximately 12,00 square feet, is proposed to be built on approximately 4 acres on Zoo Parkway near the intersection with Crestview Church Road.

The total basic design fees are listed as follows for Phase 1-Schematic Design and Phase 2 – Design Development Construction Documents, Bid Negotiations, Construction Administration.

Total Basic Design Fees for both Phases:
Schematic Design through Construction Administration \$561,000 as shown in the breakdown below.

Schematic Design Phase	\$112,200
Design Development Phase	\$112,200
Construction Document Phase	\$224,400
Bidding/Negotiation Phase	\$28,050
Construction Administration	\$84,150

The firm will use each phase listed above as a step in the process and will not proceed until it receives city approval to advance to the next phase.

Council Member Bell moved, and Council Member Burks seconded the motion to authorize the execution of the necessary legal instruments for Stewart Cooper-Newall to proceed with the outlined design services for the new fire station no. 3/emergency operations center. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

9. **Legislative Hearings**

(a) Legislative Hearing (Case No. RZ-24-19): An application to rezone property located on the east side of US 220 Business South at Oakhurst Road (Randolph County Parcel Identification Numbers 7659569317 and 7659660333) from R10 Medium-Density Residential to I2 General Industrial.

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-24-19. Community Development Director John Evans was the first speaker. In addition to entering into the records the notation that notice of this land use case had been advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by Rodney Tyler.

The land for which the above-described zoning has been requested is located on the east side of US Highway 220 Business South at the intersection of Oakhurst Road. The property is approximately 1.12 acres in size, and is specifically identified by Randolph County Parcel Identification Numbers 7659569317 and 7659660333 (this property will be hereinafter referred to as the “Zoning Lot”).

In addition to the written staff reports, Mr. Evans utilized a slide show presentation in conjunction with his comments. The following points of information were noted.

1. The property is outside of the city limits, but within the city’s extraterritorial zoning jurisdiction.
2. US Highway 220 Business South is a major thoroughfare. This section of Oakhurst Road is identified as privately maintained, and serves industrially zoned properties.
3. The existing R10 district is described by the zoning ordinance as follows: *R10: 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. The proposed I2 zoning district is described as follows: I2: The intent of the I2 Industrial Development District is to produce areas for intensive manufacturing, warehousing, processing and assembly uses, controlled by performance standards to limit the effect of such uses on adjacent districts.

4. The property is currently undeveloped.
5. The request is for an I2 General Industrial district. No specific use or site plan can be reviewed with this request.
6. The majority of the property is located south of Oakhurst Road. However, there is a small portion of the subject property that is north of Oakhurst Road.

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

Proposed Land Use Map Designation: Industrial (north of Oakhurst Road); Commercial (south of Oakhurst Road)

Small Area Plan: Central

Growth Strategy Map Designation: Adjacent Developed

LDP Goals/Policies that Support the Request:

Checklist Item 1: Rezoning is compliant with the Proposed Land Use Map (north of Oakhurst Drive)

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 12-13: 12.) Property is located outside of the watershed area. 13.) Property is outside of the Special Hazard Flood Area.

LDP Goals/Policies that Do Not Support the Request:

Checklist Item 1: Rezoning is not compliant with the Proposed Land Use Map (South of Oakhurst Drive, on majority of the property).

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

The City of Asheboro Planning Board considered the zoning map amendment application and recommended placement of the Zoning Lot into the requested I2 zoning district. In making this recommendation, the planning board concurred with the planning staff's analysis of the consistency of the proposed zoning with the adopted comprehensive plans as well as the reasonableness of the proposal. The planning staff's analysis is summarized in the following indented paragraphs.

This property is situated in an area that has primarily non-residential land uses, with industrial and commercial activities. Although it is ideal to have transitional land uses between industrial and residential uses, the property is surrounded by other properties that are either non-residential, including industrial properties to the north along US 220 Business South and Oakhurst Road, or that are legal nonconforming residential uses, such as dwellings across US 220 Business South.

Staff believes, given the land use patterns in the area and the property's location on a major thoroughfare, that an industrial designation of the property is reasonable and in the public interest.

Mayor Smith opened the floor for comments from the public. Rodney Tyler was available to answer any questions. When no one else asked to speak, Mayor Smith then transitioned to the deliberative phase of the process.

After engaging in deliberations about the zoning map amendment application, Council Member Bell moved, and Council Member Heath seconded the motion, to adopt the plan consistency statement printed below and to approve the requested zoning map amendment with the following multi-part motion.

1. The Zoning Lot is situated in an area that has primarily non-residential land uses, with industrial and commercial activities. Although it is ideal to have transitional land uses between industrial and residential uses, the Zoning Lot is surrounded by other properties that are either non-residential, including industrial properties to the north along US Highway 220 Business South and Oakhurst Road, or that are legal nonconforming residential uses, such as dwellings across US Highway 220 Business South.

The council concluded that, given the land use patterns in the area and the property's location on a major thoroughfare, an industrial designation of the Zoning Lot is consistent with the comprehensive plan, reasonable, and in the public interest.

2. In addition to the above-stated analysis, the council agrees with the planning board's recommendation. Consequently, the zoning map amendment application seeking to place the Zoning Lot into the requested I2 zoning district is hereby approved.

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

- (b) Legislative Hearing (Case No. RZ-24-20): An application to rezone property located at 1135 and 1147 South Cox Street (Randolph County Parcel Identification Number 7750970387) from R7.5 Medium-Density Residential and RA6 (CZ) district to add two dwelling units to an existing development with multiple dwellings.**

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as RZ-24-20. Mr. Evans was the first speaker. In addition to entering into the records the notation that notice of this land use case had been advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by Rick Powell.

The land for which the above-described zoning has been requested, which is the property of 41 Chevy Realty, LLC, is located at 1135 A&B South Cox Street and 1147 A&B South Cox Street. The property is approximately 1.15 acres in size and is specifically identified by Randolph County Parcel Identification Number 7750970387 (this property will be hereinafter referred to as the "Zoning Lot").

In addition to the written staff report, Mr. Evans utilized a slide show presentation in conjunction with his comments. The following points of information were noted.

1. The property is inside the city limits.
2. South Cox Street is a state-maintained major thoroughfare.
3. The existing and proposed RA6 (CZ) district and existing R7.5 district are described by the zoning ordinance as follows: ***R7.5:*** *Intended to provide regulations which will produce a moderate intensity of residential uses, usually single family and no more than 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 intense living.* ***RA6:*** *Intended to produce a high intensity of residential uses in close proximity to major nodes of non-residential development, characterized primarily by group housing, plus the necessary governmental and other support facilities to service that level of development. Land designated RA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged.*
4. The property currently has four dwelling units in two duplex-style structures. An additional similar structure with two dwelling units is proposed. If approved, six (6) dwelling units would be on the property, equaling approximately 5.2 dwelling units per acre.
5. The property is located in Tier 3 of the Center City Planning Area. Density for multi-family development is regulated based on maximum height (35 feet) and impervious coverage (no more than 55 percent) rather than floor area ratio, which is a maximum square footage based on the area of a zoning lot.
6. Tax records indicate that the current structures were built in 1977. The property is mapped as having RA6 (CZ) zoning. However, despite research to locate information regarding this conditional zoning, staff has been unable to do so. The RA6 (CZ) portion of the property may be mapped in error, but that has not been determined conclusively.
7. The zoning ordinance allows an applicant to propose a conditional zoning district that deviates from the zoning ordinance's pre-prescribed requirements. As of October 29, 2024, one noted deviation includes a reduction of the 25' front setback in the area in front of the right-of-way along Lindsey Avenue, and 20' in other locations along the rear property lines on the opposite side of the property from South Cox Street. The site plan indicates a building setback of 15'7" in these locations. In this area, the applicant states that existing vegetation and fencing will provide buffering between the subject property and the adjoining properties as shown on the site plan with "proposed tree line."
8. The site plan shows a sidewalk along South Cox Street
9. On October 24, 2024 staff received an updated site plan. The building, parking, and recreation areas are in the same location that was reviewed by the planning board during its meeting on October 7, 2024. The site plan also labels a concrete pad on each of the dwellings, and clarifies that existing vegetation is intended to remain, but if existing vegetation is removed, a Type C screen will be replanted in areas along Lindsey Avenue. A Type C screen generally consists of evergreen trees at least 6' in height at the time of planting no further than 20' apart; and a row of evergreen shrubs planted no more than 5 feet apart to form an opaque hedge at least 6 feet in height or a minimum of 6' minimum solid wooden fence, solid vinyl fence, or masonry wall. Staff has added a condition related to this landscaping.

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

Proposed Land Use Map Designation: City Activity Center

Small Area Plan: Central

Growth Strategy Map Designation: Primary Growth

LDP Goals/Policies that Support the Request:

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

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

Checklist Item 5: Complies with Growth Strategy Map

Checklist Items 12-13: 12.) Property is located outside of the watershed area. 13.) Property is outside the Special Hazard Flood Area.

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

LDP Goals/Policies that Do Not Support the Request:

Checklist Item 13: Property is located on slopes of greater than 20%.

The City of Asheboro Planning Board considered the zoning map application and recommended approving the placement of the Zoning Lot into the requested RA6 (CZ) zoning district. In making this recommendation, the planning board concurred with the planning staff's analysis of the consistency of the proposed zoning with the adopted comprehensive plans as well as the reasonableness of the proposal. The planning staff's analysis is summarized in the following indented paragraphs.

The property's location along South Cox Street, that has long been considered a transitional location between heavier commercial uses to the west and south along South Fayetteville Street and East Dixie Drive and residential uses to the east. The property is part of the city activity center, which the Land Development Plan states is intended to provide "pedestrian-friendly, community focal points containing a mixture of commercial, office and institutional, entertainment, open space, and residential uses and housing types, with ample sidewalks, street trees, on-street parking, public amenities and open space uses."

Staff believes that the proposed land use and request to add two additional dwellings is generally consistent with the Land Development Plan by including many of the above elements such as the addition of a sidewalk, ample landscaping and tree preservation, and recreation space. Additionally, the proposal provides additional housing opportunities in close proximity to a number of service and employment options.

Considering the aforementioned analysis, staff believes that the proposed zoning map amendment is reasonable and in the public interest.

In the event of council approval of the application, the planning staff offered suggested conditions to include as part of a conditional zoning ordinance amendment. These conditions are as follows:

- (A) *The use approved shall be Multiple Family Dwellings consisting of a total of 6 dwelling units.*
- (B) *All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.*
- (C) *Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.*
- (D) *Mail delivery shall be provided on the final site plan, subject to postal service and/or NCDOT requirements. Any changes on the site plan necessary to comply with requirements for mail delivery will not be considered a modification of the conditional zoning district requiring council action.*
- (E) *Outdoor recreational vehicle parking or storage shall be prohibited on the property.*
- (F) *It shall be the property owner's responsibility to obtain any and all permits and approvals required for the proposed land use.*
- (G) *If plans for solid waste disposal 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) *The sidewalk parallel to South Cox Street, extending the length of the subject property, may be located within the public right-of-way or on private property, if topography or NCDOT not granting an encroachment agreement precludes location entirely within the public right-of-way of South Cox Street.*
- (I) *The applicant shall submit a revised site plan that details the following information to city staff prior to permitting:*
 - (i) *Clarification of locations of areas that will retain existing vegetation*
 - (ii) *Information on outdoor lighting if any lighting is added.*
 - (iii) *Information on building height and materials in compliance with Section 4.07(E)(2)(v) and Section 6.11(F).*
- (J) *Existing vegetation shall be preserved consistent with the approved site plan, except as required for utility maintenance or extension to each dwelling. If vegetation is removed along the front yard facing Lindsey Avenue, or adjacent to Randolph County Parcel Identification Numbers 7750971593 and 7750972295, landscaping consistent with Type C screen shall be installed in those areas, with the exception of the area contained within the City of Asheboro 20' Sanitary Sewer Easement identified on the site plan.*
- (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) *Prior to the issuance of a zoning compliance permit, the applicant shall obtain driveway and other permitting as required by NCDOT.*
- (M) *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 the conditional zoning district in the chain of title for the Zoning Lot.

Mayor Smith opened the floor for comments from the public. Christian Vestal presented comments in support of the request and accepted the staff proposed conditions. When no one else asked to speak, Mayor Smith transitioned to the deliberative phase of the process.

After engaging in deliberations about the zoning map amendment application, Council Member Bell moved, and Council Member Swiers seconded the motion, to adopt the plan consistency statement below and to approve the requested zoning map amendment with the following multi-part motion.

1. The Zoning Lot is located along South Cox Street, which is considered a transitional location between heavier commercial uses to the west and south along South Fayetteville Street and East Dixie Drive, and residential uses to the east. The Zoning Lot is part of the city activity center, which the Land Development Plan states is intended to provide “pedestrian-friendly, community focal points containing a mixture of commercial, office and institutional, entertainment, open space, and residential uses and housing types, with ample sidewalks, street trees, on-street parking, public amenities and open space uses.”

The council has concluded that the proposed land use and request to add two additional dwellings is generally consistent with the Land Development Plan by including many of the elements such as the addition of a sidewalk, ample landscaping, tree preservation, and recreation space. Additionally, the development proposal provides additional housing opportunities in close proximity to a number of service and employment options.

Considering the aforementioned analysis, the council concluded that the proposed zoning map amendment is consistent with the comprehensive plan, is reasonable, and in the public interest.

2. In addition to the above-stated analysis, the city council agreed with the planning board recommendation. Consequently, subject to the previously stated conditions, the zoning map amendment application seeking to place the Zoning Lot into the requested RA6 (CZ) zoning district is hereby approved.

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

- (c) Legislative Hearing (Case No. RZ-24-21): An application to rezone property located on the west side of WOW Road (Randolph County Parcel Identification Number 7764703184), approximately 200 feet north of Old Castle Drive, from R15 (CZ) Low-Density Single-Family Residential Conditional Zoning to R15 Low-Density Single-Family Residential.**

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-24-21. Mr. Evans was the first speaker. In addition to entering into the records the notation that notice of this land use case had been advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by Christian Vestal.

The land for which the above-described zoning has been requested is located on the west side of WOW Road, approximately 200 feet north of Old Castle Drive. The property is approximately 0.73 of an acre in size, and is specifically identified by

Randolph County Parcel Identification Number 7764703184 (this property will be hereinafter referred to as the “Zoning Lot”).

In addition to the written staff reports, Mr. Evans utilized a slide show presentation in conjunction with his comments. The following points of information were noted.

1. The property is inside the city limits, annexed in 1999 with the adjoining Heathwood Acres subdivision.
2. WOW Road (SR 2128) is a state-maintained collector road.
3. The current conditional zoning district is due to the property being included with the adjoining Heathwood Acres subdivision, located south of the subject property. At that time, the subdivision plat indicated the intention of recombining the property with the adjoining property to the north. However, that was not completed. The property also has not been platted as a lot, and one of the conditions the current conditional zoning states, that “no lots shall be created which requires a driveway connection to WOW Road.” This precludes platting the subject property as a lot and developing it for a single-family dwelling.
4. One factor that is reviewed for platting is access to utilities (either city water and city sewer or private well and septic systems). Water and sewer are not located directly in front of the property but are south of the property along Old Castle Drive.
5. The request is for a general R15 low-density single-family designation. If approved, one single-family dwelling would be allowed on the property subject to zoning and other code requirements.
6. The R15 district is described by the zoning ordinance as “intended to provide regulations which will produce a low intensity of single-family residential use with the necessary governmental and other support facilities to service such suburban intensity living.”
7. The Land Development Plan states that the general intent of the suburban residential land use designation is “to accommodate existing and limit new medium-low density residential uses to designated areas.”

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

Proposed Land Use Designation:	Suburban Residential
Small Area Plan:	Northeast
Growth Strategy Map Designation:	Primary Growth
LDP Goals/Policies that Support the Request:	
<u>Checklist Item 1:</u>	Rezoning is compliant with the Proposed Land Use Map.
<u>Checklist Item 3:</u>	The property on which the rezoning district is proposed fits the description of the Zoning Ordinance. (<i>Article 200, Section 210, Schedule of Statements of Intnet</i>)
<u>Checklist Item 5:</u>	Complies with Growth Strategy Map

Checklist Items 12-13:

12.) Property is located outside of the watershed area. 13.) Property is outside of the Special Hazard Flood Area.

LDP Goals/Policies that Do Not Support the Request:

Checklist Item 14:

Property is located on slopes of greater than 20%.

The City of Asheboro Planning Board considered the zoning map amendment application, and recommended placement of the Zoning Lot in the requested R15 zoning district. In making this recommendation, the planning board concurred with the planning staff's analysis of the consistency of the proposed zoning with the adopted comprehensive plans as well as the reasonableness of the proposal. The planning staff's analysis is summarized in the following indented paragraphs.

The requested R15 zoning remains consistent with the Land Development Plan's designation of the property for suburban residential use and surrounding properties. Removing this property from a conditional zoning designation into a general district allows a reasonable use of property consistent with adjoining land uses.

Considering the aforementioned analysis, staff believes that the proposed zoning map amendment is reasonable and in the public interest.

Mayor Smith opened the floor for comments from the public, and the applicant indicated he was available to answer questions. No questions were asked, and no one else asked to be heard. Mayor Smith then transitioned to the deliberative phase of the process.

After engaging in deliberations about the zoning map amendment application, Council Member Heath moved, and Council Member Burks seconded the motion, to adopt the plan consistency statement printed below and to approve the requested zoning map amendment with the following multi-part motion.

1. The requested R15 zoning district is consistent with the Land Development Plan's designation of the property for suburban residential use and is consistent with surrounding properties. Removing the Zoning Lot from a conditional zoning designation into a general district allows a reasonable use of property consistent with adjoining land uses.

Considering the aforementioned analysis, the council concluded that the proposed zoning map amendment is consistent with the comprehensive plan, is reasonable, and in the public interest.

2. In addition to the above-stated analysis, the council agreed with the planning board's recommendation. Consequently, the zoning map amendment application seeking to place the Zoning Lot into the requested R15 zoning district is hereby approved.

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

10. Update on the Latest Efforts to Address Issues Surrounding Homelessness

Code Enforcement Officer Chuck Garner reported that numerous homeless camps have been retired and many vacant structures have been demolished. Additionally, Captain Mike Jones commented on the police department's on-going efforts to address issues as they arise.

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

11. Announcement of a Public Open House and Workshop for the Downtown Parking Study

City Manager John Ogburn announced that a public open house and workshop will be held on November 20, 2024, from 4:00 p.m. until 7:00 p.m. at the Harry and Jeanette Weinberg Adult Resource and Education Center. The purpose of this event is to receive public comments in regards to the city's downtown parking study. The center is located at 347 West Salisbury Street.

12. Street Maintenance Items

(a) An On-Street Parking Plan for Loach Street

City Engineer Michael Leonard presented and recommended adoption, by reference, of an ordinance to amend on-street parking regulations applicable to a section of Loach Street. Council Member Bell moved, and Council Member Trogon seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

ORDINANCE NUMBER 38 ORD 11-24

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

ORDINANCE TO AMEND ON-STREET PARKING REGULATIONS APPLICABLE TO A SECTION OF LOACH STREET

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

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

WHEREAS, as a consequence of approved land development activities occurring in close proximity to the section of Loach Street located between Cross Street and E. Presnell Street, the City of Asheboro Engineering Department has prepared an updated parking plan for the identified section of Loach Street; and

WHEREAS, the updated parking plan developed by the engineering department is titled "SITE PLAN LOACH STREET ON-STREET PARKING" and is attached to this Ordinance as EXHIBIT 1; and

WHEREAS, the site plan attached to this Ordinance as EXHIBIT 1 will be hereinafter referred to as the "2024 Loach Street Parking Plan" and is hereby incorporated into this Ordinance by reference as if copied fully herein; and

WHEREAS, Section 71.01 of the Code of Asheboro contains regulatory provisions concerning the establishment and marking of areas in which parking is prohibited or regulated; and

WHEREAS, Section 72.02 of the Code of Asheboro enumerates the subject matter of each of the schedules used to record the location of specific traffic and parking regulations enacted by the Asheboro City Council; and

WHEREAS, Section 71.01 of the Code of Asheboro provides, in pertinent part, as follows:

§ 71.01 DETERMINATION AND MARKING OF AREAS IN WHICH PARKING PROHIBITED OR REGULATED

(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.*
- (2) *Cause all streets and parts of streets where parking shall be limited to one hour during prescribed time periods or at all times to be posted accordingly. He shall then notify the City Clerk, who shall enter the description of such streets or parts of streets in Schedule 2 of § 72.02; and*

WHEREAS, Section 72.02 of the Code of Asheboro provides, in pertinent part, as follows:

§ 72.02 ENUMERATED BY SUBJECT MATTER

Schedule 1. Where parking prohibited.

Schedule 2. Where parking limited to one hour; and

WHEREAS, the city manager and the engineering department have recommended the adoption of the attached 2024 Loach Street Parking Plan; and

WHEREAS, the city council concurs with the recommendation.

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

Section 1. As shown on the attached 2024 Loach Street Parking Plan, parking shall be limited to one hour in the indicated spaces during the time period extending from 7:00 a.m. to 7:00 p.m. Furthermore, as shown on the attached plan, parking shall be prohibited at all times other than the 7:00 a.m. to 7:00 p.m. time period listed in the immediately preceding sentence for the marked spaces.

Section 2. The city manager is hereby authorized and directed to cause the section of Loach Street shown on the attached 2024 Loach Street Parking Plan to be posted/marked in accordance with the provisions of Sections 71.01(A)(1) and 71.01(A)(2) of the Code of Asheboro and in accordance with the provisions of Section 1 of this Ordinance.

Section 3. The city manager and the city clerk are hereby directed to revise Schedules 1 and 2 enumerated in Section 72.02 of the Code of Asheboro to reflect the on-street parking regulations prescribed by this Ordinance.

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 full 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 November 7, 2024.

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

ATTEST:

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

[The exhibit referenced in the preceding ordinance is on file in the city clerk's office.]

(b) The Engineering Department's On-Going Evaluation of Three Signalized Street Intersections

Mr. Leonard reported that the city's engineering department has been investigating traffic control options for three signalized intersections maintained by the city. These intersections include the intersection at North Main Street and Worth Street, the intersection at North Elm Street and Worth Street, and the intersection at North Elm Street and Brewer Street. The investigation was initiated as a result of the age of the existing traffic signals which are estimated to be approximately 50 years old. Replacement parts required to maintain the signals have become increasingly difficult and expensive to procure.

Public Works personnel have researched the cost to update the aged signals with modern technology and estimates that the cumulative expense to replace the three signals at more than \$230,000. Given the projected cost, staff began discussing alternatives that could safely and efficiently control the traffic at these intersections.

After reviewing crash data with the police and fire and rescue departments, city staff preliminarily recommended that the intersections be converted to all-way stop controlled. This solution is low-cost and viewed as an appropriate alternative. During the evaluative period, the signals would be changed to flashing red signals and additional traffic signage installed to alert the public of this change. City staff would monitor operations for several months prior to making a final recommendation.

The city council members agreed with the city staff's evaluation and consented for city staff to proceed. No formal action was taken by the council during this portion of the meeting.

13. The Design-Build Contract Amendment #2 for the Wolfsped Water Main Extension Project

Water Resources Director Michael Rhoney presented the design-build contract amendment #2 for the Wolfsped water main extension project. During the pre-construction phase, the project team concluded that in order to minimize schedule and cost impacts, an early material procurement for Sections 2 and 3 should be completed. An analysis completed by Garney based on market pricing determined that ductile iron pipe was the most cost-effective material to meet the goals of the project. In addition, Section 4 pipe material was approved in GMP 1 and now Section 4 is ready for Final Design and Construction and has been included in GMP 2.

Design-Builder shall procure and have delivered to the project site all material included in the accepted GMP 2 Proposal and previous approved work (Phase 1 Preconstruction and GMP 1). The material quantities being procured reflect anticipated material needed for Sections 2 and 3. Section 2 starts just west of Iron Mountain Road and US-64 and ends East of Deep Rive at Salisbury Street. Section 3 starts at Salisbury Street and ends at US-64 at Lee Layne Road. All material items for Sections 2 and 3 are based on the current 30% plans and specifications.

For final design and construction of Section 4, the Design-Builder shall perform all necessary design, engineering, and construction per the 75% plans and specifications and Owners Project Criteria including any additional work required by final design development to 100% for the lump sum cost outlined the amendment.

The summary of costs is as follows:

Phase 1

Preconstruction Services and 75% Design	LS \$5,034,601.90
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Phase 2

GMP 1 – Early Material Procurement (EMP) Section 4	LS \$4,011,109.79
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GMP 2 – EMP Section 2 and 3, Construction Section 4	LS \$15,898,199.23
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Phase 2 Subtotal	LS \$19,909,309.02
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Update Total Contract Value	LS \$24,943,910.92
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Council Member Bell moved, and Council Member Heath seconded the motion, to approve and authorize the city manager to execute the Design-Build Contract Amendment #2. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

14. **A Budget Amendment to Allocate Additional Funding for Temporary Heaters During the HVAC Replacement Project at the Asheboro/Randolph Public Library**

Finance Director Debbie Reaves presented and recommended adoption, by reference, of an ordinance to amend the general fund FY 2024-2025. Council Member Bell moved, and Council Member Burks seconded the motion, to approve/adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

39 ORD 11-24

**ORDINANCE TO AMEND
THE GENERAL FUND
FY 2024-2025**

WHEREAS, The City of Asheboro is in the process of replacing the HVAC at the Asheboro Public Library.

WHEREAS, the City of Asheboro Facilities Maintenance department needs to maintain a proper temperature in the library while the HVAC is under repair.

WHEREAS, the best method to do this involves purchasing three heat pumps at a cost of \$16,500 and renting 2 large heaters and fuel at an estimated cost of \$21,714.

WHEREAS, the City of Asheboro desires to reduce expenditures in the Facilities Maintenance department expense line item as it relates to McCrary Ballpark maintenance to fund the additional expense in the Library budget for the rental and in the Facilities Maintenance Department Capital outlay expense line item to purchase the portable heat pumps.

WHEREAS, the City of Asheboro wishes amend the current adopted budget to account for changes in revenues and expenses as required by law.

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 item be increased / decreased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase/ Decrease</u>
10-640-515.0700	Maint & Repair- McCrary Ballpark	(38,214)
10-640-574.0000	Capital Outlay	16,500
10-630-515.0001	Maint. & Repair- Library Building	<u>21,714</u>
	Total change	(0)

Adopted this 7th day of November 2024

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

ATTEST:

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

15. An Update on Pending Vacancies on the Planning Board

Assistant City Manager Trevor Nuttall reported that the Asheboro Planning Board has reviewed applications for the vacancies on the board. It is anticipated that the board will forward its recommendation to the city council for consideration during the December council meeting.

Jacob Wilburn has applied for the board’s extraterritorial jurisdiction vacancy. His application will be forwarded to the Randolph County Board of Commissioners for consideration by the county commissioners.

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

16. A Discussion About Potential Changes in the City Council’s Schedule for Regular Meetings in 2025

Mayor Smith presented a potential schedule for the city council’s regular meetings for 2025. After some discussion, the council members expressed a consensus opinion that the meeting time should be changed from 7:00 p.m. to 6:00 p.m. for the 2025 calendar year. The council will approve/adopt an ordinance at its regular December meeting setting the regular meeting schedule for 2025.

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

17. Upcoming Events and Items Not on the Agenda

During this portion of the meeting, Council Member Trogdon asked the council members to discuss a notated lease agreement that had been forwarded to him concerning the non-exclusive use of McCrary Park between the City of Asheboro and ZooKeepers Baseball, LLC. The council members were given copies of a previously approved McCrary Park lease agreement that included notes and comments from ZooKeepers Baseball, LLC.

As the council members discussed potential changes and amendments, they asked City Attorney Jeff Sugg to evaluate the baseball organization’s comments and draft potential amendments to the previously approved leasing instrument. These potential amendments will be reviewed at the December city council meeting. This instruction was put in the form of a motion made by Council Member Bell and

seconded by Council Member Burks. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogdon voted aye. There were no dissenting votes.

Mayor Smith led a brief discussion of upcoming events within the city government and the community in general.

There being no further business, the meeting was adjourned at 9:40 p.m.

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

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