

NOTICE OF BUDGET HEARING

Notice is hereby given that a public hearing on the proposed Fiscal Year 2003-2004 budget for the City of Asheboro will be held on the 19th day of June, 2003 at 7:00 PM in the Council Chamber on the second floor of the Municipal Building located at 146 North Church Street.

A copy of the proposed budget is on file in the office of the City Clerk for public inspection.

A summary of the budget is as follows:

General Fund	\$ 16,501,238
Street Assessment Fund	4,000
Water & Sewer Fund	<u>8,989,913</u>
Budget Total	\$ 25,495,151

At the hearing, oral and written comments will be received from any interested citizens.

S/ Carol J. Cole
Carol J. Cole, City Clerk
City of Asheboro

May 30, 2003

Publish one (1) time: Thursday, June 5, 2003

#

**NOTICE OF A SPECIAL JOINT MEETING OF THE CITY COUNCIL
AND PLANNING BOARD OF THE CITY OF ASHEBORO ON
THURSDAY, JUNE 19, 2003, at 7:00 O'CLOCK PM**

Notice of a special joint meeting of the City Council and Planning Board of the City of Asheboro, North Carolina is hereby given. Said meeting will be held Thursday, the 19th day of June, 2003, at 7:00 o'clock PM in the Council Chambers of the Asheboro Municipal Building, which is located at 146 North Church Street, Asheboro, North Carolina.

This special meeting of the City Council and the Planning Board is being held for the following purposes:

- (a) Consideration by the Council of amendments to the 2002-2003 Budget Ordinance, specifically including without limitation an ordinance to close out the Airport Runway Phase II Fund; and
- (b) Holding a public hearing on the proposed budget for Fiscal Year 2003-2004 and consideration by the Council of adoption of the Budget Ordinance for Fiscal Year 2003-2004; and
- (c) Consideration by the Council of a resolution authorizing the submittal by the Asheboro Police Department of an application packet for funds under the Homeland Security Overtime Program; and
- (d) Consideration by the Council and the Planning Board of a presentation pertaining to a proposed update of the Asheboro Zoning Ordinance; and
- (e) Consideration by the Council of a resolution pertaining to the proposed closure of a portion of West Dorsett Avenue; and
- (f) Consideration by the Council of proposed ordinances to amend portions of Chapters 50, 51, and 71 of the Code of Asheboro.

All officers of the city and all other persons whomsoever are hereby given notice that such meeting will be held. This call is issued pursuant to both Article 33C (Meetings of Public Bodies) of Chapter 143 of the North Carolina General Statutes and the ordinance of the City of Asheboro relative to the time and place of holding meetings, both regular and special, of the City Council of said City.

By order of the Mayor on this the 12th day of June, 2003.

S/ Carol J. Cole
Carol J. Cole, City Clerk
City of Asheboro, North Carolina

#

**SPECIAL JOINT MEETING
ASHEBORO CITY COUNCIL AND
ASHEBORO PLANNING BOARD
THURSDAY, JUNE 19, 2003, 7:00 PM**

This being the time and place for a Special Meeting of the Mayor and City Council, a meeting was held with the following officials and members present:

- David Jarrell) –Mayor Presiding
- Talmadge Baker)
- Linda Carter)
- Nancy Hunter)
- John McGlohon) –Council Members Present
- Archie Priest)
- David Smith)
- Paul Trollinger)

- John N. Ogburn, City Manager
- Carol J. Cole, CMC, City Clerk
- Dumont Bunker, P. E., City Engineer
- Debbie Juberg, Finance Director
- Reynolds Neely, Planning Director
- Lynn Priest, CD Director
- John Evans, Code Enforcement Officer
- Gary Mason, Police Chief
- Jeff Sugg, City Attorney

Planning Board Members Present:

- Van Rich, Chairman
- Jimi Luther
- Walker Moffitt
- Phil Skeen
- Tom White
- John Wicker (arrived late)

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

1. Consent Agenda.

Upon motion by Mr. Smith and seconded by Mrs. Carter, council voted unanimously to approve the consent agenda as follows:

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- (a) Ordinance to Amend General Fund

**Ordinance to Amend the General Fund
FY 2002-2003**

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

WHEREAS, the budget as adopted requires amendment to reflect adjustments in expenditures, and:

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

That the following Expense items be increased / decreased.

<u>Account #</u>	<u>Expense Description</u>	<u>Appropriated Amount</u>
10-420-0200	Salaries & Wages	1,000
10-440-5500	Tax Refunds	(12,600)
10-470-0200	Salaries & Wages	(30,000)
10-470-0700	Fringe Benefits	(7,000)
10-490-0400	Professional Services	(20,000)
10-500-1100	Telephone	(10,000)
10-500-1600	Maintenance & Repair- Equipment	(6,000)
10-510-0700	Fringe Benefits	5,000
10-530-0700	Fringe Benefits	5,000
10-565-0200	Salaries & Wages	145,000
10-570-0200	Salaries & Wages	(145,000)
10-580-8300	Tipping Fee	60,000
10-585-0700	Fringe Benefits	1,600
10-610-2800	Economic Incentives	(125,000)
10-610-7200	Transfer to Economic Development	125,000
10-620-0401	Professional Services	12,000
10-625-0200	Salaries & Wages	16,845
10-630-8101	Principal on Land Purchase	(15,845)
	TOTAL	\$0

Adopted this the 19th day of June, 2003

S/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

S/ Carol J. Cole
Carol J. Cole, City Clerk

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(b) Ordinance to Amend the Airport Runway Extension Phase II Fund FY 2002-2003

61 ORD 6-03

**Ordinance to Amend the Airport Runway Extension Phase II Fund
FY 2002-2003**

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

WHEREAS, the budget as adopted requires amendment to reflect adjustments in revenues and expenditures, and:

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

Section 1: That the following Revenue items be increased:

<u>Account #</u>	<u>Revenue Description</u>	<u>Appropriated Amount</u>
63-329-0000	Interest on Investments	\$729
	TOTAL	\$729

Section 2: That the following Expense items be increased / decreased.

<u>Account #</u>	<u>Expense Description</u>	<u>Appropriated Amount</u>
63-850-0400	Professional Services	(\$1,025)
63-850-4500	Payment to Contractors	(\$75)
63-850-5700	Miscellaneous	(\$418)
63-860-1000	Transfer to General Fund	\$2,247
	TOTAL	\$729

Adopted this the 19th day of June, 2003

S/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

S/ Carol J. Cole
Carol J. Cole, City Clerk

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(c) Ordinance to Close Out Airport Runway Phase II Fund FY 2002-2003

62 ORD 6-03

**Ordinance to Close the Airport Runway Extension Phase II Fund
FY 2002-2003**

WHEREAS, the officers of the City of Asheboro have completed the Airport Extension Phase II Fund (14 ORD 10-95) adopted October 5, 1995 and;

WHEREAS, the officers of the City of Asheboro submit the below as the final budget for the project and request that the project be closed;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA: that the below budget is accepted as the final budget and the Airport Runway Extension Phase II Fund is hereby closed.

Section 1: Revenues

<u>Account #</u>	<u>Revenue Description</u>	<u>Appropriated Amount</u>
63-329-0000	Interest Earned on Investments	\$2,329
63-349-0000	State Grant	\$1,536,878
63-367-0000	Sales Tax Refund	\$7,013
63-367-1000	Contribution- General Fund	\$170,766
	TOTAL	\$1,716,986

Section 2: Expenses

<u>Account #</u>	<u>Expenses Description</u>	<u>Appropriated Amount</u>
63-850-0400	Professional Services	\$276,351
63-850-0500	Administration	\$1,198
63-850-4500	Payment to Contractors	\$1,437,108
63-850-5700	Miscellaneous	\$82
63-860-1000	Transfer to General Fund	\$2,247
	TOTAL	\$1,716,986

Adopted this the 19th day of June, 2003

S/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

S/ Carol J. Cole
Carol J. Cole, City Clerk

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(d) Ordinance to Amend Economic Development Fund FY 2002-2003

63 ORD 6-03

**Ordinance to Amend the Economic Development Fund
FY 2002-2003**

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

WHEREAS, the budget as adopted requires amendment to reflect adjustments in revenues and expenditures, and:

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

Section 1: That the following Revenue items be increased:

<u>Account #</u>	<u>Revenue Description</u>	<u>Appropriated Amount</u>
72-367-1000	Contribution from General Fund	\$125,000

Section 2: That the following Expense items be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Appropriated Amount</u>
72-850-2300	Unilever / Best Foods	125,000

Adopted this the 19th day of June, 2003

S/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

S/ Carol J. Cole
Carol J. Cole, City Clerk

2. Public Hearing for Fiscal Year 2003-2004 Budget.

Mayor Jarrell opened the public hearing on the aforementioned.

Mr. Ogburn reported that this public hearing has been advertised as provided for by law. He gave a brief overview of the proposed FY 2003-2004 budget, which is balanced at \$25,495,151.

There being no comments nor opposition from the public, Mayor Jarrell closed the public hearing.

Upon motion by Mr. Baker and seconded by Mr. Priest, council voted unanimously to adopt the budget as presented and the following Budget Ordinance:

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64 ORD 6-03

Budget Ordinance

BE IT ORDAINED by the City Council of the City of Asheboro, North Carolina in session assembled:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of the city government and its activities for the fiscal year beginning July 1, 2003, and ending June 30, 2004, in accordance with the chart of accounts heretofore established for this City:

<u>Account No.</u>	<u>Department or Function</u>	<u>Appropriation</u>
10-410.00	Mayor and Governing Body	\$ 123,178
10-420.00	City Manager's Office	144,105
10-430.00	City Clerk	69,879
10-440.00	Finance Office	538,302
10-470.00	Legal Services	111,970
10-480.00	Information Technology	141,978

10-490.00	Planning/Community Development	372,516
10-500.00	Municipal Building Headquarters	122,292
10-510.00	Police Department	4,401,815
10-530.00	Fire Department	2,630,480
10-540.00	Inspections Department	187,218
10-550.00	Operations Division –Public Works	637,863
10-555.00	Fleet Maintenance	682,635
10-565.00	Street Maintenance	1,446,106
10-575.00	City Engineer Office	194,643
10-580.00	Sanitation Department	1,329,010
10-585.00	Recycling Transfer Station	577,001
10-590.00	Human Resources	327,302
10-610.00	Community Promotion	95,000
10-620.00	Parks/Lakes/Playgrounds	845,982
10-625.00	Municipal Golf Course	154,082
10-630.00	Library	206,438
10-640.00	Grounds Maintenance	1,107,546
10-650.00	Airport Authority	<u>53,896</u>
Total Appropriations		\$ 16,501,238

Section 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2003 and ending June 30, 2004:

<u>Description</u>	<u>Amount</u>
Current Year's Real Property Taxes	\$ 7,900,000
Current Year's Motor Vehicle Taxes	630,000
Prior Years' Real Property Taxes	18,000
Prior Years' Motor Vehicle Taxes	63,000
Tax Discounts	(80,000)
Tax Penalties and Interest	26,000
Privilege Licenses	232,000
Franchises	117,000
Interest Earned on Investments	50,000
Concessions and Merchandise	50,000
Payment in Lieu of Taxes	15,000
Personal Use of City Vehicles	8,400
Contracted Maintenance NCDOT	18,500
Utilities Franchise Tax –State	1,500,000
Powell Bill Allocation –State	666,000
Local Sales Tax	3,537,177
Court Cost, Fees and Charges	13,000
Building Permits and Inspection Fees	105,000

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Rezoning & Cemetery Fees	25,000
Charges for Services –Refuse Collection	750,000
Recycling Revenues	6,000
Sale of Cemetery Lots	20,000
Recreation Fees	282,000
Gas Tax Refunds –State	45,000
Sale of Fixed Assets	6,000
Vice and Narcotics Allocation	25,700
Federal Forfeiture Allocation	12,757
State Fire & Rescue Pension Fund	15,300
Other Revenues	131,550
Fund Balance Allocation	<u>317,354</u>
Total Estimated Revenues	\$ 16,501,238

Section 3. The following General Fund Fees are hereby adopted for provision of services during the operation of the city government for the fiscal year beginning July 1, 2003 and ending June 30, 2004:

Sanitation Department Fees:

<u>Description</u>	<u>Amount</u>
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Residential Cans / per month	\$	0
Commercial Cans / per month		8
Residential Dumpsters / per pick-up		17
Missed Residential Dumpsters / per pick-up		27
Commercial Dumpsters / per pick-up		17
Missed Commercial Dumpsters / per pick-up		27
Compaction Dumpsters / per pick-up		34
Missed Compaction Dumpsters / per pick-up		42

Recycling Transfer Station Fees:

Tipping Fee Per Ton	\$	38
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Planning Department Fees:

Rezoning:	Text	\$	200
	Map		200
	CU Permit		300
	SUP Permit		300
BOA:	Appeal		0
	Variance		200
	Interpretation		200
	Watershed Permit		25
	Flood Zone Permit		25
	Zoning Compliance Permits:		
	SF Res		25
	Duplex		100
	MF Res		200
	Commercial		250
	Industrial		250
	SF Accessory Structure		10
	Accessory Structure		25
	Institutional		250
	Soil Evaluation		10
	Change Occupancy		25
	Change Use		250
	Sign		25
	Certificate of Zoning Compliance:		
	SF Res		0
	Duplex		25
	MF Res		50

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	<u>Description</u>		<u>Amount</u>
	Commercial	\$	100
	Industrial		100
	Change Use		100
Subdivision:	Sketch		100
	Preliminary		200
	Final		200
	Minor		+ \$25 per lot 100

Parks & Recreation Fees:

<u>Facility</u>	<u>Service</u>		<u>Amount</u>
Lake Lucas:	Daily Fishing Permit	\$	3.00
	Annual Fishing Permit:		
	City Resident		35.00
	Non-Resident		50.00
	Daily Boat Rental		7.50
	Daily Launch Fee		7.00
	Annual Launch Fee:		
	City Resident		100.00
	Non-Resident		135.00
	Boat Rental Spaces:		
	City Resident		60.00
	Non-Resident		110.00
Lake Reese:			

	Daily Launch Fee	10.00
	Annual Launch Fee:	
	City Resident	100.00
	Non-Resident	135.00
	Daily Duck Hunting Permit per Boat	12.50
Tennis Center:	Lessons	20.00
	Lights per Hour per Court	2.00
Field Rental:		
	Rental Per Hour (no lights)	15.00
	Rental Per Hour (lights)	20.00
	Tournament Rental:	
	One field per weekend	175.00
	Two fields per weekend	300.00
	Concession Stand / Restroom	50.00
	Additional Maintenance	40.00
Youth Sports Fees:		
	City Resident	0
	Inside School District	15.00
	Outside School District	30.00
Pools:		
	Public Swim (day):	
	2 years & under with paying adult	0
	3 years & older	2.50
	Public Swim (night):	
	2 years & under with paying adult	0
	3 years & older	2.00
	Swimming Lessons	20.00
	Swim Pass (15 admissions)	28.00
Golf Course:		
	Daily Green Fees:	
	Weekday	8.00
	Weekend & Holiday	10.00

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<u>Facility</u>	<u>Service</u>	<u>Amount</u>
Golf Course:		
	Membership Fees:	
	Individual:	
	City Resident	\$ 300.00
	Non-Resident	360.00
	Family:	
	City Resident	410.00
	Non-Resident	525.00
	Membership Fees:	
	Student:	
	City Resident	200.00
	Non-Resident	240.00
	Cart Fee Senior Member / City Resident:	
	Nine Holes	5.00
	Eighteen Holes	10.00
	Daily Cart Fees:	
	Nine Holes	6.00
	Eighteen Holes	12.00

**City Resident/ Non-resident rates are established according to the residence of the individual.

Inspection Department Permit Fees:

Building Permit	\$5/\$1000 up to \$150,000; \$1.50/\$1,000 thereafter	
Minimum Permit		10.00
Minimum Sign		10.00
Non-bid Jobs (new)		40.00/sq. ft.
Habital Space		20.00/sq. ft.

Plumbing Permit	\$5 per fixture, \$20 minimum	
Sewer Line House		20.00
Commercial / Large		50.00
Heating / AC Permit:		
Boiler		0.0005/BTU
Gas Line –Residential		10.00
Gas Line –Commercial		50.00
Gas Furnace		40.00
Heat Pump		40.00
Gas Pak		40.00
Air Conditioners:		
6 tons & under		15.00
7 to 15 tons		20.00
16 to 25 tons		25.00
Over 26 tons		35.00
Electrical Permits:		
Temporary Service		20.00
Residential		40.00
Commercial	\$50 first 5000 sq. ft. plus \$5/1000 sq. ft.	
Service Change		20.00
Service Repair		20.00
Mobile Home		30.00
Sign		20.00
Apartments (each)		20.00
Mobile Home		50.00
Certificate of Occupancy:		
No Change of Use in Occ.		25.00
Change of Use in Occ.		50.00

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Section 4. The following amounts are hereby appropriated in the Street Assessment Fund for the operation of the city government and its activities for the fiscal year beginning July 1, 2003 and ending June 30, 2004, in accordance with the chart of accounts heretofore established for this City:

<u>Account No.</u>	<u>Department or Function</u>	<u>Appropriation</u>
12-562.00	Contracted Construction	\$ 4,000
Total Appropriations		\$ 4,000

Section 5. It is estimated that the following revenues will be available in the Street Assessment Fund for the fiscal year beginning July 1, 2003 and ending June 30, 2004:

<u>Description</u>	<u>Amount</u>
Interest Earned on Investments	\$ 4,000
Total Estimated Revenues	\$ 4,000

Section 6. The following amounts are hereby appropriated in the Water and Sewer Fund for the operation of the city government and its activities for the fiscal year beginning July 1, 2003 and ending June 30, 2004, in accordance with the chart of accounts heretofore established for this City:

<u>Account No.</u>	<u>Department or Function</u>	<u>Appropriation</u>
30-720.00	Billing and Collecting	\$ 320,139
30-810.00	Water Meter Operations	282,664
30-820.00	Water Supply and Treatment	2,493,015
30-830.00	Wastewater Treatment	4,099,295
30-840.00	Water Maintenance	729,579
30-850.00	Wastewater Maintenance	1,065,221

Total Appropriations \$ 8,989,913

Section 7. It is estimated that the following revenues will be available in the Water and Sewer Fund for the fiscal year beginning July 1, 2003 and ending June 30, 2004:

<u>Description</u>	<u>Amount</u>
Interest Earned on Investments	\$ 55,000
Sale of Water	4,670,000
Sewer Charges	3,370,000
Sampling and Monitoring Fees	20,000
Surcharges	160,000
Septic Tank Discharges	45,000
Water and Sewer Connection Fees	115,380
Other Revenues (including FEMA)	256,841
Retained Earnings Allocation	297,692
 Total Estimated Revenues	 \$ 8,989,913

Section 8. The following Water & Sewer Fund Fees are hereby adopted for provision of services during the operation of the city government for the fiscal year beginning July 1, 2003 and ending June 30, 2004:

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Water & Sewer Billing Department:

<u>Service</u>	<u>Inside City</u>	<u>Outside City</u>
Water Minimum Fee	\$ 10.52	\$ 26.31
Water Consumption Based Fee	1.79	4.49
Sewer Minimum Fee	10.52	26.31
Sewer Consumption Based Fee	1.79	4.49
Late Payment Charge*	5.00	5.00
Cut-off Fee**	20.00	20.00
Return Check Fee	20.00	20.00
Partial Payment Fee	5.00	5.00
Deposit for Service	60.00	60.00

*Late Payment Charge is applicable when payments are not received by due date.

**Cut-off Fee will be assessed to accounts subject to cut-off.

Water & Sewer Maintenance Department:

<u>Service</u>	<u>Inside City</u>	<u>Outside City</u>
Water Tap Rates:		
3/4" Complete Service	\$ 800	\$ 1,200
1" Complete Service	1,100	1,650
1 1/2" Complete Service	1,700	2,550
2" Complete Service	2,000	3,000
3/4" New Tap	400	600
1" New Tap	550	825
1 1/2" New Tap	850	1,275
2" New Tap	1,000	1,500
3/4" New Meter, Setter, Box	400	600
1" New Meter, Setter, Box	550	825
1 1/2" New Meter, Setter, Box	850	1,275
2" New Meter, Setter, Box	1,000	1,500
3/4" New Meter	50	75
1" New Meter	150	225
1 1/2" New Meter	250	375
2" New Meter	300	450
Services Not Listed	Cost	Cost plus 50%
Sewer Tap Rates:		
4" Complete Service	\$ 900	\$ 1,800
6" Complete Service	1,000	2,000
Services Not Listed	Cost	Cost plus 100%

Section 9. There is hereby levied a tax at the rate of fifty cents (\$.50) per one hundred (\$100) valuation of property as listed for taxes as of January 1, 2003 for the purpose of raising the revenue listed as "Current Year's Taxes" in the General Fund in Section 2 of this Ordinance.

This rate is based on a total valuation of property for the purposes of taxation of \$1,785,000,000 and an estimated rate of collection of 97.0%.

Section 10. The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. He/she may transfer between line items expenditures within a department without limitation and without a report being required.
- b. He/she may transfer amounts up to \$1,000 between departments, including contingency appropriations, within the same fund. He/she must make an official report on such transfers at the next regular meeting of the Governing Board.

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- c. He/she may not transfer any amounts between funds, except as approved by the Governing Board in the Budget Ordinance as amended.

Section 11. The Budget Officer may make cash advances between funds for periods not to exceed 60 days without reporting to the Governing Board. Any advances that will be outstanding at the end of the fiscal year must be approved by the Board.

Section 12. Copies of this Budget Ordinance shall be furnished to the City Clerk, to the Governing Board and to the Budget Officer and Finance Officer to be kept on file by them for their direction in the disbursement of funds.

TOTAL GROSS BUDGET \$ 25,495,151

Adopted this the 19th day of June, 2003.

S/ David Jarrell
David Jarrell, Mayor

ATTEST:

S/ Carol J. Cole
Carol J. Cole, CMC, City Clerk

3. Resolution Authorizing the Submittal by the Police Department of an Application Packet for Funds Under the Homeland Security Overtime Program.

Lt. S. A. Vuncannon, Jr. reported that the COPS (Community Oriented Policing Services) office has announced that the new Homeland Security Overtime Program (HSOP) will offer law enforcement agencies the opportunity to apply for additional officer overtime funding to support community policing and homeland security efforts. Programs that increase community safety and security and reduce public fear will be supported through this funding.

On behalf of the Asheboro Police Department, Lieutenant Vuncannon is requesting \$32,268 of federal funds (75%) and \$10,756 of city funds (25%). The total 12-month project cost is \$43,024, which will pay for 1665 overtime hours @ \$21 per hour, plus fringe benefits.

Upon motion by Mr. Trollinger and seconded by Mrs. Hunter, council voted unanimously to adopt the following resolution authorizing the submittal of an application for said funding:

**RESOLUTION AUTHORIZING THE CITY MANAGER AND CHIEF OF POLICE
TO SUBMIT AN APPLICATION PACKET FOR FUNDS UNDER THE
HOMELAND SECURITY OVERTIME PROGRAM**

WHEREAS, during a properly noticed special meeting on June 19, 2003, the City Council of the City of Asheboro received information and evidence from officials of the Asheboro Police Department indicating that a certain amount of funding for additional officer overtime in support of the city's community policing and homeland security efforts could potentially be received from the Office of Community Oriented Policing Services, which is a part of the United States Department of Justice, under the Homeland Security Overtime Program if a proper application for said funds is submitted in a timely manner; and

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WHEREAS, as part of a properly submitted application for said funds, the City Manager and the Chief of Police must certify that they are authorized to bind the City of Asheboro to comply with the terms and conditions of the requested grant of funds; and

WHEREAS, the entirety of the application packet that is to be submitted in order to apply for the above-referenced grant has been attached to this resolution as Exhibit A and is hereby incorporated into this resolution by reference as if copied fully herein; and

WHEREAS, on the basis of its review of the contents of said application and the presentation of the application by officials of the Asheboro Police Department, the City Council has determined that the terms and conditions of the grant application are acceptable and that the receipt of said funding would augment the community policing and homeland security efforts of the City of Asheboro.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, this 19th day of June, 2003, as follows:

Section 1. In the event that the City of Asheboro receives funding under the above-referenced grant, the City Council of the City of Asheboro does accept the terms and conditions specified in Exhibit A as binding on the City of Asheboro.

Section 2. The City Manager and Chief of Police for the City of Asheboro are hereby authorized and directed to execute on behalf of the City of Asheboro any and all instruments and certifications deemed necessary to successfully complete the application process described in Exhibit A.

ATTEST:

S/ David H. Jarrell
David H. Jarrell, Mayor

S/ Carol J. Cole
Carol J. Cole, City Clerk

Exhibit A (application packet) is attached to the original resolution on file in the city clerk's office.

4. Presentation Pertaining to a Proposed Update of the Zoning Ordinance.

Mr. Neely reported that the City has contracted with the Piedmont Triad Council of Governments (PTCOG) to update and revise the Asheboro Zoning Ordinance to reflect and implement the City's 2020 Land Development Plan.

Mr. Neely introduced Ms. Ginger Booker with PTCOG, who will oversee the update. Ms. Booker reviewed and gave examples of the proposed revisions.

5. Consideration of a Resolution Pertaining to the Proposed Closure of a Portion of West Dorsett Avenue.

Mr. Bunker presented a resolution stating the City's intent to permanently close a portion of West Dorsett Avenue that crosses the Norfolk Southern Railroad. The resolution sets the date for a public hearing on this matter for August 7, 2003, at 7:00 PM.

After discussion, it was the consensus of council to permanently close West Dorsett Avenue and the portion of South Church Street south of West Walker Avenue.

The city attorney will redraft the resolution for council's consideration at the July 10th council meeting.

6. **Ordinance Amending Portions of Chapter 50 and 51 of the City Code.**

Mr. Sugg presented and reviewed the aforementioned ordinance and recommended its adoption by reference.

Upon motion by Mr. Baker and seconded by Mr. Priest, council voted unanimously to adopt the following ordinance by reference:

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65 ORD 6-03

**AN ORDINANCE AMENDING CHAPTER 50 AND CHAPTER 51
OF THE CODE OF ASHEBORO**

WHEREAS, Chapter 50 of the Code of Asheboro prescribes general water and sewer provisions for the City of Asheboro; and

WHEREAS, Chapter 51 of the Code of Asheboro prescribes certain regulations pertinent to the services provided by the Sanitation Department for the City of Asheboro; and

WHEREAS, due to recent amendments to certain provisions in Chapter 50 and Chapter 51 of the Code of Asheboro, the City Council of the City of Asheboro deems it advisable to resolve a certain amount of uncertainty that has surfaced in regard to the differentiation between industrial, commercial, and residential customers or accounts for purposes of applying the provisions of Chapter 50 and Chapter 51.

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

Section 1. Section 50.005 of the Code of Asheboro, which is entitled "BILLING PERIODS," shall be amended to provide as follows:

(A) All industrial and commercial accounts shall be billed monthly, based approximately on a 30-day usage period. For purposes of this Section and throughout Chapter 50, a commercial account is hereby defined as any account that is a non-residential account or a non-industrial account.

(B) Billing to all residential accounts shall be a two-month billing representing a usage period of approximately 60 days. These accounts will be billed on a two-cycle basis, that is, one-half of such accounts will be billed on alternate months.

(C) When a residential customer's service has been discontinued pursuant to § 50.007(A) of this Chapter, the customer may have his or her water service restored upon payment to the City Water Department of the total amount owed by the customer for his or her water and sewer service, including any and all assessed fees. Additionally, a customer may have his or her water service restored upon payment to the City Water Department of the sum of a service fee of five dollars (\$5.00) plus one-half (½) of the total amount owed by the customer for his or her water and sewer service, including any and all assessed fees. When a partial payment is accepted from a customer pursuant to the provisions of this division of § 50.005, the customer shall be billed for the remaining balance owed on his or her account on the last business day of the month in which the partial payment was accepted. Such a bill is due and payable upon receipt, and, furthermore, such bills shall be subject to the same notification and collection procedures as are utilized for the regular two-month billings for residential customers.

(D) All accounts, including industrial and commercial accounts, will be scheduled to receive bills only at the end of the month on or about the 30th of the month.

Section 2. Section 51.35 of the Code of Asheboro, which is entitled "USER CHARGES FOR COMMERCIAL SANITATION CUSTOMERS," shall be amended to provide as follows:

(A) ~~Effective July 1, 2002,~~ A charge of \$17.00 per regularly scheduled pick-up of a dumpster or \$8.00 per month per can for commercial sanitation customers shall be instituted. ~~Effective July 1, 2002,~~ The charge for compaction dumpsters

shall be \$34.00 per regularly scheduled pick-up. ~~Effective July 1, 2002,~~ Additional pick-ups for commercial dumpsters shall be \$27.00 per pick-up, and additional pick-ups for compaction dumpsters shall be \$42.00.

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(B) For purposes of this Section and throughout Chapter 51, a commercial customer is hereby defined as any customer which is a non-residential or a non-industrial user.

(C) Ninety gallon cans provided exclusively by the city may be used as a substitute for dumpsters in areas approved by the Sanitation Department. A maximum of two cans will be provided free of charge to commercial customers. If more than two cans are required, a dumpster must be used.

(D) A one pick-up per week minimum is hereby established for any commercial customer using a dumpster. A two pick-up per week minimum is hereby established for any commercial customer using cans to dispose of refuse.

(E) The collection charges instituted in this section will be added to the sanitation customer's water and sewer bill. Payment terms will be the same as for the water and sewer bill. In the event of nonpayment of this charge, collection of the customer's refuse will be discontinued until payment is remitted in full. In the event of a partial payment on a combined water-sewer and sanitation bill, the payment shall be first applied to the sanitation charge and the remainder, if any, shall be applied to the water-sewer charges. Failure to pay the full balance of the water-sewer bill shall result in the consequences specified in the city code; generally, termination of service.

(F) Unless arrangements are made otherwise and the city is notified of these arrangements, all property owners renting premises to a commercial sanitation customer shall be responsible for the charges specified in this section. Responsibility for payment of the charges may be passed to the renter of the premises if the city billing department is notified of this arrangement.

(G) All property owners are deemed responsible to maintain their lots and locate their dumpsters or cans in a fashion that allows the city sanitation trucks acceptable access to the dumpsters or cans.

(H) All property owners must complete a Can/Dumpster Permit and sign a hold harmless agreement.

(I) The city is not liable for any damages resulting to parking lots, drives, and the like caused by the weight of the trucks used for the dumpster pick-ups. Each property owner is expected to maintain a lot or drive of sufficient structure to support the weight of the collection trucks.

(J) No refuse which is unacceptable as routine refuse at the landfill will be collected from commercial sanitation customers. Examples of unacceptable waste include but are not limited to: hazardous waste, tires, batteries, medical waste, yard waste, and white goods. Any receptacles containing any of these materials will not be picked up by the sanitation department until the unacceptable material is removed.

(K) The commercial customer is responsible for the contents of its containers. The city is not responsible for policing containers or preventing dumping of unacceptable waste, or refuse from individuals not related to the commercial customer.

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

Section 4. This ordinance shall become effective on July 1, 2003.

Adopted this the 19th day of June, 2003.

S/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

S/ Carol J. Cole
Carol J. Cole, City Clerk

7. Ordinance to Amend a Portion of Chapter 71 of the City Code.

Mr. Sugg presented and reviewed the aforementioned ordinance and recommended its adoption by reference.

Upon motion by Mr. Smith and seconded by Mrs. Hunter, council voted unanimously to adopt the following ordinance by reference:

66 ORD 6-03

AN ORDINANCE AMENDING CHAPTER 71 OF THE CODE OF ASHEBORO

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, pursuant to an ordinance (Ordinance Number 56 ORD 6-03) duly adopted by the City Council of the City of Asheboro on June 5, 2003, angle parking at an angle of thirty degrees (30°) was established on the south side of Sunset Avenue from a point located ninety-eight (98) feet west from the center of North Fayetteville Street to a point located three hundred (300) feet from the center of North Fayetteville Street; and

WHEREAS, Section 71.17 of the Code of Asheboro is captioned as "WHERE ANGLE PARKING REQUIRED" and provides that "[v]ehicles shall be parked at an angle of approximately 45° with the curb on those streets or parts of streets described in Schedule 13 of § 72.02, when parking spaces have been so marked thereon;" and

WHEREAS, the City Council of the City of Asheboro has determined that Section 71.17 of the Code of Asheboro should be amended in order to conform to the provisions of Ordinance Number 56 ORD 6-03 and to any other potential amendments of the Code of Asheboro that might establish angle parking zones whereby vehicles are required to park at 30°, 45°, 60°, or 90° angles with the curb.

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

Section 1. Section 71.17 of Chapter 71 of the Code of Asheboro is hereby amended to provide as follows:

§ 71.17 WHERE ANGLE PARKING REQUIRED

Where an angle parking zone has been established on a street or portion of a street and described in Schedule 13 of § 72.02, vehicles shall be parked within the marked spaces at an the indicated angle of with the curb of either approximately 30°, 45°, 60°, or 90° with the curb on those streets or parts of streets described in Schedule 13 of § 72.02, when parking spaces have been so marked thereon. The provisions of this Section of Chapter 71 shall not be deemed to be applicable to the parking authorized and regulated by Section 71.04(a) of this Chapter along Walker Avenue for persons attending Sunday morning services at the First Presbyterian Church of Asheboro.

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

Section 3. This ordinance shall become effective upon adoption.

Adopted this the 19th day of June, 2003.

S/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

S/ Carol J. Cole
Carol J. Cole, City Clerk

8. Items Not on the Agenda.

Ms. Emma Washington, a resident of 600 Sunset Avenue, appeared before council and stated that several guinea hens were wandering onto her property and causing a nuisance. The guinea hens dig up her flowers and make a squawking noise in the early hours of the morning, which disturbs her sleep. Ms. Washington was instructed to get in touch with Mr. John Evans, the city's code enforcement officer, and he would check into the matter.

There being no further business, the meeting was adjourned at 7:55 PM.

Carol J. Cole, CMC, City Clerk

David H. Jarrell, Mayor

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