

**NOTICE OF A SPECIAL MEETING OF THE
ASHEBORO CITY COUNCIL**

Wednesday, June 20, 2007

12:00 o'clock p.m.

Notice of a special meeting of the City Council of the City of Asheboro, North Carolina is hereby given. This special meeting will be held on Wednesday, the 20th day of June, 2007, at 12:00 o'clock p.m. in the Council Chamber of the Asheboro Municipal Building, which is located at 146 North Church Street in Asheboro, North Carolina.

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

- a. Consideration of the adoption of findings of fact, conclusions of law, and orders for five (5) land use cases identified by the following planning department file numbers: CUP-07-11, CUP-07-13, CUP-07-16, SUP-07-02, and SUP-07-03;
- b. Consideration of the adoption of certain ordinances amending the Budget Ordinance for fiscal year 2006-2007; and
- c. Consideration of the adoption of the Budget Ordinance for fiscal year 2007-2008.

All officers of the city and all other persons whomsoever are hereby given notice that the above-described special meeting shall be held. This call is issued pursuant to the laws of the State of North Carolina and the ordinances of the City of Asheboro relative to the time and place of holding meetings, both regular and special, of the Asheboro City Council.

By order of Mayor David H. Jarrell on this 15th day of June, 2007.

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

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SPECIAL MEETING

ASHEBORO CITY COUNCIL

WEDNESDAY, JUNE 20, 2007

12:00 p.m.

This being the time and place for a special meeting of the Mayor and the City Council, a meeting was held in the Council Chamber of the Asheboro Municipal Building with the following officials and members present:

David H. Jarrell) – Mayor Presiding

Talmadge Baker)
Linda Carter)
Keith Crisco)
Nancy Hunter) – Council Members Present
Walker Moffitt)
Archie Priest)
David Smith)

John N. Ogburn, III, City Manager
Dumont Bunker, P.E., City Engineer
Holly H. Doerr, City Clerk/Senior Legal Assistant
Deborah P. Juberg, Finance Director

R. Reynolds Neely, Jr., Planning Director
O. Lynn Priest, Community Development Director
Jeffrey C. Sugg, City Attorney

1. Call to Order.

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

2. Consent Agenda.

Upon motion by Mr. Priest and seconded by Ms. Hunter, Council voted unanimously to continue the consideration of the proposed findings of fact, conclusions of law, and order for SUP-07-03 to the regular meeting on July 5, 2007, and to approve the remainder of the consent agenda items. The approved consent agenda items are as follows:

- Findings of fact, conclusions of law, and order for CUP-07-11.

CUP-07-11
City Council
City of Asheboro

IN THE MATTER OF THE APPLICATION BY TODD AND KAREN LASSITER FOR A CONDITIONAL
USE PERMIT ALLOWING A CHILD DAY CARE CENTER - MEDIUM

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING A CONDITIONAL USE
PERMIT

THIS MATTER came before the Asheboro City Council (hereinafter referred to as the "Council") for hearing during a special meeting of the Council that was held at 6:00 o'clock p.m. on May 10, 2007. Having considered all competent evidence and argument, the Council, on the basis of competent, material, and substantial evidence, does hereby make the following:

FINDINGS OF FACT

1. William Todd Lassiter, along with Karen Lassiter, (hereinafter referred to as the "Applicants") properly filed an application with the City of Asheboro Planning Department for a legislative rezoning of certain real property from an OA6 Office-Apartment high-density zoning district to a CU-B2 General Business zoning district. Concurrent with the filing of an application for this legislative rezoning, the Applicants also properly filed an application for a Conditional Use Permit that would authorize the development of a land use classified by the Asheboro Zoning Ordinance as a Child Day Care Center – Medium (30 to 79 children).

2. The Applicants propose to develop a child day care center on a parcel of land located at 314 North Cox Street and more specifically identified by Randolph County Parcel Identification Number 7751933910. This parcel of land (hereinafter referred to as the "Zoning Lot") encompasses approximately nineteen thousand one hundred eighty-two (19,182) square feet of land and, as of the date of the hearing of this matter, is owned by Primera Iglesia Pentecostes el Gran Yo Soy.

3. Prior to formally considering the evidence submitted in support of the requested Conditional Use Permit, the Council adopted the recommendation of the Planning Board and placed the Zoning Lot into the requested CU-B2 General Business zoning district.

4. An existing structure is located on the Zoning Lot. As of the date of the hearing of this matter, this structure is vacant. The structure was last used as a church.

5. The Zoning Lot is located within the corporate limits of the City of Asheboro, and all city services are available to the lot.

6. North Cox Street is a city-maintained major thoroughfare. East Ward Street intersects with North Cox Street in close proximity to the Zoning Lot. East Ward Street serves commercial properties between North Fayetteville Street and North Cox Street.

7. A mixture of land uses surrounds the Zoning Lot. A large, multi-unit office complex is located to the north of the Zoning Lot, retail and office land uses are located to the west, office land uses are located to the south, and the land uses located to the east of the Zoning Lot are primarily residential uses that are accessed from North Main Street.

8. The Zoning Lot is located within Tier 2 of the Center City Planning Area. A mixture of land uses, including commercial, residential, and institutional uses, are encouraged within the Tier 2 area.

9. A B2 zoning district is intended to provide convenience and shoppers' goods and services along major and minor thoroughfares.

10. Under the Asheboro Zoning Ordinance, the land use identified as "Child Day Care Center – Medium (30-79 children) is permitted in a B2 zoning district with the issuance of a Special Use Permit.

11. Section 102 of the Asheboro Zoning Ordinance provides, in pertinent part, that the issuance of a Conditional Use Permit for a specific land use within a conditional use zoning district "shall preclude any requirement for obtaining a Special Use Permit" for that same use.

12. The Applicants offered uncontroverted testimony as to their extensive experience in operating a child day care facility.

13. The operation of a child day care facility on the scale proposed by the Applicants is regulated by the State of North Carolina, and the Applicant is prepared to comply with these regulations.

14. The Applicants offered uncontroverted testimony that the Zoning Lot is large enough and the proposed traffic flow pattern is adequate to allow for the safe drop-off and pick-up of children at staggered times.

15. Robert Moran, who is a realtor, offered his expert opinion that the Applicants' proposed land use on the Zoning Lot will not have a negative impact on the value of adjoining parcels of land.

16. Staff members of the city's planning department testified that the submitted site plan is not technically correct in all aspects of its formatting, but, on the basis of the assumption that the Applicants do not wish to operate a child day care center for more than sixty (60) children, the submitted site plan does have a sufficient amount of information to enable city staff to determine that the proposed land use depicted on the site plan does comply with the rules and regulations prescribed by the Asheboro Zoning Ordinance.

17. The Applicants testified that sixty (60) children is the maximum number of children that the proposed child day care facility will serve.

18. No testimony or other form of evidence was submitted to the Council in opposition to the Applicants' request.

Based on the foregoing findings of fact, the Council hereby enters the following:

CONCLUSIONS OF LAW

1. During the hearing of this matter, the evidence submitted to the Council indicated that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.

2. The proposed use meets all required conditions and specifications of the Asheboro Zoning Ordinance.

3. The Applicants' proposed use will not substantially injure the value of the adjoining or abutting property.

4. The location and character of the use if developed according to the plan as approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Asheboro and its environs.

Based on the above-recited findings of fact and conclusions of law, the Council hereby enters the following:

ORDER

The Applicants are hereby issued a Conditional Use Permit that authorizes a Child Day Care Center – Medium land use to be developed on the Zoning Lot. This Conditional Use Permit shall remain valid so long as the Applicants, and their heirs, successors, and assigns, conduct this approved land use in compliance with the approved site plan, the provisions of the Asheboro Zoning Ordinance, and the following conditions that are hereby attached to this permit:

1. The Applicants shall prepare a revised site plan that addresses the formatting and other technical deficiencies identified by city staff members during the hearing of this matter. This revised site plan shall be submitted in a timely manner to the planning department for staff review, approval, and inclusion in the file without further review by the Council. This condition shall only apply to site plan revisions strictly related to formatting deficiencies identified during the hearing of this matter, and not to revisions that would otherwise be defined as a permit modification.

2. The maximum number of children to be served by the approved Child Day Care Center – Medium shall be sixty (60) rather than the number of seventy-nine (79) that is specified in the Asheboro Zoning Ordinance’s table of uses.

Adopted by the Asheboro City Council in special session on the 20th day of June, 2007.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

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

- Findings of fact, conclusions of law, and order for CUP-07-13.

Case No. CUP-07-13
City Council
City of Asheboro

IN THE MATTER OF THE APPLICATION BY MID-ATLANTIC TOWNHOMES, LLC FOR AN
AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING THE REQUESTED
AMENDMENT TO THE EXISTING CONDITIONAL USE PERMIT

THIS MATTER came before the Asheboro City Council (hereinafter referred to as the “Council”) for hearing during a regular meeting of the Council that was held on May 10, 2007. Having considered all competent evidence and argument, the Council, on the basis of competent, material, and substantial evidence, does hereby make the following:

FINDINGS OF FACT

1. By and through an authorized representative, Mid-Atlantic Townhomes, LLC (hereinafter referred to as the “Applicant”) properly submitted an application to the city’s planning department for an amendment to an existing Conditional Use Permit (CUP-01-24).

2. The Applicant originally sought and obtained from the Council in 2001 a Conditional Use Permit that was issued under planning department file number CUP-01-24 for a Residential Planned Unit Development. The Council subsequently issued an amended Conditional Use Permit in 2003 under planning department file number CUP-03-44. The Residential Planned Unit Development previously authorized by the Council has been developed and is known as Lexington Commons.

3. The sole purpose of the current application for an amended Conditional Use Permit is to remove from the scope of the Conditional Use Permit authorizing Lexington Commons a parcel of land that encompasses approximately 0.65 of an acre of land.

4. The parcel of land that is to be removed from the permit for Lexington Commons (hereinafter referred to as the “Southway Parcel”) is located at 131 Southway Road and is more specifically identified by Randolph County Parcel Identification Number 7751348407.

5. The Applicant has never conveyed the Southway Parcel to the homeowners’ association for Lexington Commons, and this parcel was identified on the final plat for Lexington Commons as “Future Phase 3.”

6. The Southway Parcel was formerly utilized as a single-family residential dwelling, but the residence is now vacant. This residence was not part of the common scheme of development for Lexington Commons.

7. None of the evidence that was originally presented in support of the issuance of the permits authorizing Lexington Commons as it currently exists has changed in any material sense or been called into question.

8. No evidence was provided in opposition to the Applicant’s requested amendment of the existing Conditional Use Permit.

Based on the foregoing findings of fact, the Council makes the following:

CONCLUSIONS OF LAW

1. The proposed amendment of the existing Conditional Use Permit will not materially endanger the public health or safety.
2. The evidence received during the public hearing established that the proposed amendment of the existing Conditional Use Permit will not create a permit that fails to meet all of the required conditions and specifications of the Asheboro Zoning Ordinance.
3. The proposed amendment of the existing Conditional Use Permit will not substantially injure the value of the adjoining or abutting property.
4. After the Southway Parcel is removed from the scope of the existing Conditional Use Permit, the location and character of the existing Residential Planned Unit Development (Lexington Commons) will continue to be in harmony with the area in which it is located and in general conformity with the plan of development of Asheboro and its environs.

Based on the above-recited findings of fact and conclusions of law, the Council hereby enters the following:

ORDER

The above-described application submitted by Mid-Atlantic Townhomes, LLC for an amendment to the existing Conditional Use Permit issued under file number CUP-03-44 is hereby approved. The Southway Parcel is hereby removed from this permit's scope of coverage, and the Conditional Use Permit issued pursuant to this order provides continuing authorization for Lexington Commons as a Residential Planned Unit Development. This authorization shall remain valid so long as the Lexington Commons Residential Planned Unit Development continues to comply with the rules and regulations of the Asheboro Zoning Ordinance and continues to comply with the site plan and conditions, as modified above, that were imposed by the Conditional Use Permit issued under file number CUP-03-44.

Adopted by the Asheboro City Council in special session on the 20th day of June, 2007.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

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

- Findings of fact, conclusions of law, and order for CUP-07-16.

CUP-07-16
City Council
City of Asheboro

IN THE MATTER OF THE APPLICATION OF MATTHEW RYAN SALYER AND LISA ANN SALYER FOR
A CONDITIONAL USE PERMIT AUTHORIZING A
HEALTH PRACTITIONER'S OFFICE

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING A CONDITIONAL USE
PERMIT

THIS MATTER came before the Asheboro City Council (hereinafter referred to as the "Council") for hearing during a regular meeting of the Council that was held on May 10, 2007. Having considered all competent evidence and argument, the Council, on the basis of competent, material, and substantial evidence, does hereby make the following:

FINDINGS OF FACT

1. Matthew Ryan and Lisa Ann Salyer (hereinafter referred to as the "Applicants") properly filed an application with the City of Asheboro Planning Department for a legislative rezoning of approximately 2.1 acres of their land located along the west side of Browers Chapel Road, approximately 700 feet south of East Dixie Drive. This parcel of land is currently zoned R10 Medium-Density Residential, and the Applicants are requesting that the parcel of land be placed in a CU-B2 Conditional Use General Business zoning district. Concurrent with the filing of an application for this legislative rezoning, the Applicants also properly filed an application for a Conditional Use Permit that would allow, on a portion of the parcel, the construction and operation of a land use classified under the Asheboro Zoning Ordinance as a Health Practitioner's Office.

2. The portion of the above-described parcel of land upon which the Applicants' wish to construct and operate a Health Practitioner's Office encompasses approximately 1.2 acres of land. This portion of the overall parcel (hereinafter referred to as the "Zoning Lot") was lawfully subdivided from the larger parcel of land as of the date of the Council's consideration of this matter, but a new parcel identification number for the Zoning Lot was not provided during the hearing.

3. Prior to formally considering the evidence submitted in support of the requested Conditional Use Permit, the Council placed the entire original parcel of land into the requested CU-B2 Conditional Use General Business zoning district.

4. Under the Asheboro Zoning Ordinance, a Health Practitioner's Office is a permitted land use in the underlying B2 zoning district.

5. The Growth Strategy Map identifies the area in which the Zoning Lot is located as an "Adjacent Developed" area, and the Proposed Land Development Plan Map designates the area in question as "Neighborhood Residential." However, when discussing the legislative rezoning requested by the Applicants, the Council voted to approve the requested rezoning on the basis of the fact that the Council disagreed with the designation given to this area by the city's comprehensive land development plan. In particular, the Council found the proximity of the parcel of land to East Dixie Drive and the proximity of the parcel to major business land uses to be indicative of the appropriateness of placing this parcel of land in a general business zoning district.

6. The land uses surrounding the Zoning Lot are commercial uses to the north and east, while residential land uses are located to the south and west. The Zoning Lot itself is currently undeveloped.

7. The Zoning Lot is located within the corporate limits of the City of Asheboro. Municipal water and sewer service is available to the site.

8. Browers Chapel Road is a state-maintained minor thoroughfare.

9. Members of the planning department's staff have reviewed the site plan submitted by the Applicants for the land use proposed for the Zoning Lot, and this site plan does comply with the requirements of the Asheboro Zoning Ordinance.

10. Due to his knowledge of drainage and flooding concerns expressed by some of the owners of property adjoining the Applicants' above-described parcel of land, the planning director offered to the Council a proposed condition that would address some of these storm water concerns:

An engineering study of storm water runoff shall be made. If this study indicates that post development runoff will exceed predevelopment conditions, plans for runoff control shall be designed and certified by a professional engineer. Such controls shall be designed to reduce the runoff during the occurrence of a 10-year storm to predevelopment volumes and rates. Prior to the issuance of a certificate of occupancy, a professional engineer shall provide certification that the storm water controls were built according to the plans. Any open water retention or drainage areas shall be sprayed regularly for mosquito control. The continued maintenance of all runoff control measures shall be the responsibility of the property owner.

11. During the hearing of this matter, the Applicants highlighted to the Council their position that the proposed chiropractic office will serve as a good transition from nearby business uses such as restaurants like the International House of Pancakes and Golden Corral. More specifically, the Applicants offered testimony that 180 visits to the doctors' office is the anticipated level of patient traffic during the course of a week. The Applicants contend that this volume of patient visits is a less intense business use when compared to the above-cited restaurants.

12. No evidence was offered during the hearing of this matter to indicate that the proposed doctors' office will have any abnormally dangerous or hazardous activity occurring on the premises of the office.

13. The testimony offered in opposition to the permit application did not challenge or express concerns about the fact that a Health Practitioner's Office was the type of use proposed for the Zoning Lot itself. The individuals speaking in opposition to the application focused on the impact of any development of the Applicant's parcel of land on an existing drainage problem in their neighborhood. Some additional concerns were also expressed about maintaining the privacy of adjoining residential properties, but the main thrust of the opposition pertained to concerns about storm water runoff.

14. In an effort to address concerns about the impact of new development anywhere on the Applicants' parcel of land, not just on the Zoning Lot, the Applicants offered during the hearing of this matter to subject the entirety of their parcel of land to the requested Conditional Use Permit.

15. In order to enhance the buffering/screening between the proposed land use and the adjoining residential properties, the Applicant offered during the hearing of this matter to install a double row of staggered Japanese Cedars along the rear property line.

Based on the foregoing findings of fact, the Council hereby enters the following:

CONCLUSIONS OF LAW

1. When an applicant has produced competent, material, and substantial evidence tending to establish the existence of the facts and conditions that the ordinance requires for the issuance of a Conditional Use Permit, prima facie the applicant is entitled to the permit. A denial of the permit has to be based upon findings contra that are supported by competent, substantial, and material evidence appearing in the record.

2. In this case, the Applicants have properly submitted an application for a Conditional Use Permit authorizing the development of a Health Practitioner's Office on the above-described parcel of land.

3. The site plan submitted by the Applicants as part of the application for the requested Conditional Use Permit complies with all of the applicable requirements of the Asheboro Zoning Ordinance.

4. On the basis of the evidence presented during the hearing of this matter, the Council has concluded that the proposed use meets the four (4) general standards for the granting of a Conditional Use Permit. More specifically, the proposed use will not materially endanger the public health or safety, meets all required conditions and specifications of the zoning ordinance, will not substantially injure the value of adjoining or abutting property, and will be in harmony with the area in which it is to be located and is in general conformity with Asheboro's plan of development.

5. Given the compliance of the site plan with the requirements of the Asheboro Zoning Ordinance and the totality of the evidence submitted by the Applicants during the hearing of this matter, the Applicants, subject to certain conditions designed to address the concerns raised by the adjoining residential property owners, are to be issued a Conditional Use Permit for a Health Practitioner's Office.

Based on the above-recited findings of fact and conclusions of law, the Council hereby enters the following:

ORDER

The Applicants are hereby issued a Conditional Use Permit authorizing the development of a Health Practitioner's Office on the above-described parcel of land. This Conditional Use Permit shall be valid so long as, and only so long as, the Applicants, and their heirs, successors and assigns, develop and conduct the approved land use in compliance with the approved site plan and elevations, the provisions of the Asheboro Zoning Ordinance, and the following supplementary conditions that are attached to this permit:

a. Additional screening/buffering measures shall be taken along the back property line of the Applicants' above-described parcel of land in order to enhance the privacy of the adjoining residential dwellings and in order to mitigate the negative visual impact from any retention pond and accompanying chain link fence that may be built on the Applicants' land. Specifically, a double row of staggered Japanese Cedars is to be installed along this back property line. Unless more stringent requirements are imposed by the approved revised site plan, these supplementary conditions, or elsewhere in this Order, the Asheboro Zoning Ordinance shall regulate the location, installation, and maintenance of all buffering and screening measures undertaken on the Zoning Lot.

b. An engineering study of storm water runoff shall be made of the entirety of the above-described parcel of land. If this study indicates that post development runoff will exceed predevelopment conditions, plans for runoff control, specifically including without limitation the installation of a retention pond that shall serve the Applicants' entire parcel of land, shall be designed and certified by a professional engineer. Such controls shall be designed to reduce the runoff during the occurrence of a 10-year storm to predevelopment volumes and rates. Prior to the issuance of a certificate of occupancy, a professional engineer shall provide certification that the storm water controls were built according to the plans. Any open water retention or drainage areas shall be sprayed regularly for mosquito control. The continued maintenance of all runoff control measures shall be the responsibility of the property owner.

c. For safety purposes, any retention pond installed on the above-described parcel of land shall be enclosed by a chain link fence in accordance with generally accepted industry standards.

d. To the full extent that is practicable, existing trees and vegetation shall be retained on the Applicants' above-described parcel of land.

e. The Applicants shall prepare a revised site plan that reflects the inclusion of the entirety of the Applicants' above-described parcel of land within the scope of the Conditional Use Permit authorized by this Order. Additionally, the revised site plan shall reflect the implementation of the above-listed conditions. This revised site plan shall be submitted in a timely manner to the planning department for staff review, approval, and inclusion in the file without further review by the Council. This condition shall only apply to site plan revisions strictly related to effectively implementing the above-listed conditions, and not to revisions that would otherwise be defined as a permit modification.

f. This Conditional Use Permit shall not become effective unless and until a revised site plan is submitted to the planning department staff for review and is in fact approved in accordance with the immediately preceding condition.

If any conflicts in interpretation are discovered between the approved site plan and the supplementary conditions, the specifications found within the supplementary conditions shall be deemed to be controlling.

Adopted by the Asheboro City Council in special session on the 20th day of June, 2007.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

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

- Findings of fact, conclusions of law, and order for SUP-07-02.

Case No. SUP-07-02
City Council
City of Asheboro

IN THE MATTER OF THE APPLICATION BY J. HAROLD WILLIAMS OF CONNECTED BRIDGES
OUTREACH CENTER FOR A SPECIAL USE PERMIT ALLOWING AN ADDITION TO A CHURCH IN A
RESIDENTIAL DISTRICT

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING THE REQUESTED SPECIAL
USE PERMIT

THIS MATTER came before the Asheboro City Council (hereinafter referred to as the "Council") for hearing during a special meeting of the Council that was held at 6:00 o'clock p.m. on May 10, 2007. Having considered all competent evidence and argument, the Council, on the basis of competent, material, and substantial evidence, does hereby make the following:

FINDINGS OF FACT

1. J. Harold Williams, on behalf of Connected Bridges Outreach Center, (hereinafter referred to as the "Applicants") properly filed an application with the City of Asheboro Planning Department for a Special Use Permit that would allow the church to enlarge its current facilities, which are located in a residential zoning district.

2. The Applicants are requesting a Special Use Permit in order to add an addition to the east side of the existing church building. The addition will consist of classroom space and fellowship hall space.

3. The existing church building is located on property owned by Connected Bridges Outreach Center. The parcel of land upon which the church is built is located at 1580 Old Cedar Falls Road and encompasses approximately 0.47 of an acre of land. This parcel of land (hereinafter referred to as the "Zoning Lot") is more specifically identified by Randolph County Parcel Identification Number 7761557674.

4. The Growth Strategy Map designates the area in which the Zoning Lot is located as an "Economic Development" area, and the Proposed Land Development Plan Map indicates that this property is located in an area designated as "Neighborhood Residential."

5. The land uses to the south and west of the Zoning Lot are residential, while a combination of vacant land and commercial land use is located to the north. A combination of vacant land and residential land use is located to the north.

6. The Zoning Lot is located in a R10 Medium-Density Residential zoning district.

7. A church land use is permitted in a R10 zoning district only if the Council issues a Special Use Permit authorizing such a use.

8. The Zoning Lot is located outside the corporate limits of the City of Asheboro, but the lot is served by the municipal water system. The Zoning Lot is not served by the municipal sanitary sewer system.

9. Old Cedar Falls Road is a major thoroughfare.

10. Under the Asheboro Zoning Ordinance, the proposed addition to the existing building will necessitate a Type B buffer/screen.

11. No additional exterior lighting is proposed for the Zoning Lot.

12. The church has been in existence for approximately fifty (50) years.

13. The city's planning department staff has reviewed the submitted site plan, and the planning director testified that, with certain technical corrections that are needed to clarify the site plan and eliminate any potential miscommunication of the zoning ordinance regulations, the site plan did comply with the requirements of the Asheboro Zoning Ordinance.

14. In order to provide guidance as to the technical corrections that are needed on the submitted site plan, the planning director suggested the following conditions to any permit that might be issued by the Council in response to this application:

a. The site plan contains a clerical error in that the rear portion is labeled as a 10-foot Screen B. This portion of the site plan should be corrected to reflect a 20-foot Buffer B.

b. The screening shown on the submitted site plan along the northern and southern property boundaries should be accompanied by the notation that this screening is subject to review and approval by the city's planning department in order to ensure compliance with the Asheboro Zoning Ordinance.

c. A minimum grade separation of 4' in width and 4" in height as required by Section 409B of the Asheboro Zoning Ordinance should be clarified on the site plan.

15. As pastor of the church, Mr. J. Harold Williams testified during the hearing of this matter that the church is willing to comply with the conditions suggested by the city's planning department.

16. The planning department's staff analysis report, which was submitted to the Council during the hearing of this matter, indicated that the land development plan is generally supportive of granting the Applicant's requested Special Use Permit.

17. No testimony or any other form of evidence was offered in opposition to the Applicant's request for the issuance of a Special Use Permit.

Based on the foregoing findings of fact, the Council makes the following:

CONCLUSIONS OF LAW

1. During the hearing of this matter, the evidence submitted to the Council indicated that the proposed use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.

2. The proposed use meets all the required conditions and specifications of the Asheboro Zoning Ordinance.

3. The Applicants' proposed use will not substantially injure the value of adjoining or abutting property.

4. The location and character of the use if developed according to the plan as approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Asheboro and its environs.

Based on the above-recited findings of fact and conclusions of law, the Council hereby enters the following:

ORDER

The Applicants are hereby issued a Special Use Permit that authorizes on the Zoning Lot the addition of classroom and fellowship hall space to the existing church. This Special Use Permit shall remain valid so long as the Applicants, and their heirs, successors, and assigns, conduct the approved church land use in compliance with the approved site plan, the provisions of the Asheboro Zoning Ordinance, and the following conditions that are hereby attached to this permit:

1. The error on the site plan regarding the rear portion of the lot that is labeled as a 10-foot Screen B shall be corrected to reflect a 20-foot Buffer B.

2. The screening shown on the plan along the northern and southern property boundaries shall be accompanied by a notation on the revised site plan that this screening is subject to review and approval by the city's planning department in order to ensure compliance with the Asheboro Zoning Ordinance.

3. A minimum grade separation of 4' in width and 4" in height as required by Section 409B of the Asheboro Zoning Ordinance shall be specified on the site plan.

4. A revised site plan reflecting the above-listed conditions shall be prepared by the Applicants and submitted in a timely manner to the planning department for staff review, approval, and inclusion in the file without further review by the Council. This condition shall only apply to site plan revisions strictly related to the above-listed conditions, and not to revisions that would otherwise be defined as a permit modification.

Adopted by the Asheboro City Council in special session on the 20th day of June, 2007.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

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

- Eleven (11) ordinances amending the Budget Ordinance for fiscal year 2006-2007.

23 ORD 6-07

**ORDINANCE TO AMEND
HOME PROGRAM FUND
FY 2006-2007**

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

WHEREAS, the budget as adopted requires amendment to adjustments in revenues and expenditures from the amounts currently shown in the Home Program Fund:

WHEREAS, the City Council desires to amend the budget as required by law;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA that the following budget revisions are approved:

Section 1: The following Revenue line items be increased:

| LINE ITEM | DESCRIPTION | AMOUNT |
|-------------|---------------------------------|----------|
| 62-360-0100 | Repayment- owner occupied Rehab | \$28,000 |
| | Total Increase: | \$28,000 |

Section 2: The following expenditure line items be increased:

| LINE ITEM | DESCRIPTION | AMOUNT |
|-------------|-----------------------------|----------|
| 62-880-1000 | Home Program Administration | \$ 150 |
| 62-890-0200 | Repayment- owner occupied | \$27,850 |
| | Total Increase: | \$28,000 |

Adopted this 20th day of June 2007.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

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

**ORDINANCE TO AMEND THE PROJECT ORDINANCE FOR
TRAFFIC 2005 GRANT**

FY 2006-2007

WHEREAS, the City Council of the City of Asheboro desires to change the scope of the above stated Project Ordinance to include ongoing grant awards and expenditures associated with such grants;

WHEREAS, the City Council desires to amend the budget as required by law, and;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA that the following budget revisions are approved:

Section 1. The name of the project be changed from TRAFFIC 2005 GRANT to TRAFFIC GRANT so as to allow for funding from the National Highway Traffic Safety Administration (Federal) administered thru the NC Department of Transportation on behalf of the Governor's Highway Safety Program for years beyond the original funding year 2005

Section 2. The following revenues are anticipated to be available for funding year 2 of the grant program :

| LINE ITEM | DESCRIPTION | AMOUNT |
|-------------|--------------------------|-----------|
| 75-348-0102 | Federal Grant FY 06-07 | \$ 31,306 |
| 75-367-1002 | GF Contribution FY 06-07 | \$ 10,800 |
| | Total increase | \$ 42,106 |

Section 4. The following amounts are appropriated as expenditures for funding year 2 of this program:

| LINE ITEM | DESCRIPTION | AMOUNT |
|-------------|------------------|-----------|
| 75-510-0202 | Salaries & Wages | \$ 42,106 |
| | Total increase | \$ 42,106 |

Adopted this the 20th day of June 2007.

s/ David H. Jarrell
David H. Jarrell, Mayor

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

**Ordinance to Amend the Asheboro Skate Park Project
FY 2006-2007**

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 associated with this project:

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> |
|------------------|--------------------------------|----------------------------|
| 64-349-1000 | Contribution from General Fund | \$62,000 |

Section 2: That the following Expense items be increased:

| <u>Account #</u> | <u>Expense Description</u> | <u>Appropriated Amount</u> |
|------------------|----------------------------|----------------------------|
| 64-850-0000 | Construction | \$62,000 |

Adopted this the 20th day of June, 2007

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

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

26 ORD 6-07

**Ordinance to Amend the Economic Development Fund
FY 2007-2008**

WHEREAS, the City entered into an Economic Incentives agreement on April 13, 2006 with StarPet Inc.;

WHEREAS, this incentive agreement called for a contribution of \$250,000 from the City of Asheboro, to be disbursed in two payments of \$125,000 upon completion of certain performance requirements;

WHEREAS, expenditures in the Economic Development Fund needs to be adjusted to reflect the agreed upon incentive arrangement;

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

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

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

| <u>Account#</u> | <u>Description</u> | <u>Amount</u> |
|-----------------|--------------------------------|---------------|
| 72-367-1000 | Contribution from General Fund | \$250,000 |

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

| <u>Account#</u> | <u>Description</u> | <u>Amount</u> |
|-----------------|------------------------|---------------|
| 72-850-2700 | StarPet Inc. Incentive | \$250,000 |

Adopted this the 20th day of June, 2007

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

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

27 ORD 6-07

**Ordinance to Amend the General Fund
FY 2007-2008**

WHEREAS, the City entered into an Economic Incentives agreement on April 13, 2006 with StarPet Inc.;

WHEREAS, this incentive agreement called for a contribution of \$250,000 from the City of Asheboro, to be disbursed in two payments of \$125,000 upon completion of certain performance requirements;

10-399-0000 Fund Balance Allocation \$ 275,000

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

10-610-7100 Capital Outlay \$ 275,000

Adopted this the 20th day of June 2007.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

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

31 ORD 6-07

**PROJECT ORDINANCE
ZOO CITY PARK**

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

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

Section 1: The Zoo City Park Project is hereby authorized as a project with current revenues and expenditures projected as listed below.

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

Section 3: The following revenues are anticipated to be available to complete this project:

| LINE ITEM | DESCRIPTION | AMOUNT |
|-------------|----------------------------|------------|
| 68-350-0000 | PARTF Grant | \$ 500,000 |
| 68-367-1000 | Contrib. from General Fund | \$ 500,000 |

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

| LINE ITEM | DESCRIPTION | AMOUNT |
|-------------|--------------|-------------|
| 68-850-0000 | Construction | \$1,000,000 |

Adopted this the 20th day of June 2007.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

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

32 ORD 6-07

**Ordinance to Amend the General Fund
FY 2006-2007**

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;

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

Section 1: That the following expense line time be increased / (decreased):

| | | |
|-------------|-----------------------------|------------|
| 10-410-5400 | Insurance | (\$33,000) |
| 10-430-0200 | Salaries & Wages | (\$25,368) |
| 10-430-0702 | Fringe: FICA | (\$1,852) |
| 10-430-0703 | Fringe: Medicare | (\$433) |
| 10-430-1400 | Travel, Schools, Conference | (\$700) |
| 10-430-1600 | Maintenance & Repair Equip. | (\$200) |
| 10-430-3300 | Office Supplies- Printing | (\$1,700) |
| 10-430-5400 | Insurance | (\$80) |
| 10-430-5700 | Miscellaneous | (\$200) |
| 10-500-1100 | Telephone | (\$3,000) |
| 10-500-1500 | Maintenance & Repair Bldg | (\$7,000) |
| 10-500-3300 | Central Office Supplies | (\$3,000) |
| 10-500-3301 | Copier Lease | (\$4,000) |
| 10-500-3400 | Supplies & Materials | (\$1,000) |
| 10-500-5700 | Misc Expense | (\$1,000) |
| 10-540-0200 | Salaries & Wages | \$12,000 |
| 10-620-6400 | Contribution to Skate Park | \$62,000 |
| 10-575-0200 | Salaries & Wages | (\$10,000) |
| 10-590-0400 | Professional Services | \$55,533 |
| 10-625-3400 | Supplies & Materials | (\$7,000) |
| 10-640-0200 | Salaries & Wages | (\$30,000) |
| | Total Increase / (Decrease) | \$0 |

Adopted this the 20th day of June, 2007

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

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

33 ORD 6-07

**ORDINANCE TO AMEND THE
WATER & SEWER FUND BUDGET
FY 2006-2007**

WHEREAS, the City of Asheboro spent \$3,073,725 on the Public Works Facility located at 1312 North Fayetteville St. including acquisition of land and construction, and;

WHEREAS, half of the Public Works Facility is used for Water and Sewer Fund activities, and:

WHEREAS, one hundred percent of the Construction of the Facility was paid for out of General Fund sources, and:

WHEREAS, the General Fund is currently providing for the debt service on an original obligation of \$1,500,000, including total interest of \$674,200, on this facility, and;

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

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

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

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

| | | |
|-------------|------------------------------|-------------|
| 30-399-0000 | Retained Earnings Allocation | \$1,800,000 |
|-------------|------------------------------|-------------|

Section 2: That the following expense line items be increased/ (decreased):

| | | |
|-----------------------------|---|--------------------|
| 30-720-7100 | Contribution to General Fund | \$300,000 |
| 30-810-7100 | Contribution to General Fund | \$300,000 |
| 30-820-7100 | Contribution to General Fund | \$300,000 |
| 30-830-7100 | Contribution to General Fund | \$300,000 |
| 30-840-7100 | Contribution to General Fund | \$300,000 |
| 30-850-7100 | Contribution to General Fund | \$300,000 |
| 30-820-8100 | Water Supply & Treatment- Principal on Debt | (\$80,000) |
| 30-820-8200 | Water Supply & Treatment- Interest on Debt | (\$30,000) |
| 30-830-8200 | Waste Water Treatment- Interest on Debt | \$30,000 |
| 30-840-0400 | Water Maintenance- Professional Services | \$30,000 |
| 30-850-0400 | Waste Water Maintenance- Prof. Services | \$50,000 |
| TOTAL INCREASE / (DECREASE) | | <u>\$1,800,000</u> |

Adopted this the 20th day of June 2007.

s/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

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

3. Consideration of the adoption of the Budget Ordinance for fiscal year 2007-2008.

Mr. Ogburn presented and recommended adoption, by reference, of the City of Asheboro Budget Ordinance for fiscal year 2007-2008.

Upon motion by Mr. Baker and seconded by Ms. Carter, Council voted unanimously to adopt the following ordinance by reference.

34 ORD 6-07

**CITY OF ASHEBORO
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, 2007, and ending June 30, 2008, in accordance with the chart of accounts heretofore established for this City:

| ACCOUNT | DEPARTMENT OR FUNCTION | APPROPRIATION |
|-----------|-------------------------------------|---------------|
| 10-410.00 | Mayor and Governing Body | \$160,918 |
| 10-420.00 | City Manager's Office | \$164,692 |
| 10-440.00 | Finance Office | \$542,477 |
| 10-450.00 | Legal & City Clerk | \$201,896 |
| 10-480.00 | Information Technology | \$164,471 |
| 10-490.00 | Planning/Community Development | \$469,502 |
| 10-500.00 | Municipal Building Headquarters | \$76,500 |
| 10-510.00 | Police Department | \$5,845,353 |
| 10-530.00 | Fire Department | \$3,543,502 |
| 10-540.00 | Inspections Department | \$210,298 |
| 10-550.00 | Operations Division - Public Works | \$714,992 |
| 10-555.00 | Fleet Maintenance | \$900,103 |
| 10-565.00 | Street Maintenance | \$1,911,537 |
| 10-575.00 | City Engineer Office | \$242,792 |
| 10-580.00 | Sanitation / Solid Waste Department | \$2,539,492 |
| 10-585.00 | Recycling Transfer Station | \$197,033 |
| 10-590.00 | Human Resources | \$463,407 |
| 10-610.00 | Community Promotion | \$155,437 |
| 10-620.00 | Parks/Lakes/Playgrounds | \$1,335,833 |
| 10-625.00 | Municipal Golf Course | \$184,890 |
| 10-630.00 | Library | \$256,231 |
| 10-640.00 | Building & Grounds Maintenance | \$1,345,111 |

| | | |
|-----------|----------------------|--------------|
| 10-650.00 | Airport Authority | \$83,100 |
| | Total Appropriations | \$21,709,567 |

Section 2: It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2007 and ending June 30, 2008:

| <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|--|---------------|
| Current Year's Real Property Taxes | \$10,060,000 |
| Current Year's Motor Vehicle Taxes | \$850,000 |
| Prior Year's Real Property Taxes | \$30,000 |
| Prior Year's Motor Vehicle Taxes | \$110,000 |
| Tax Discounts | (\$88,000) |
| Tax Penalties and Interest & other taxes | \$44,700 |
| Privilege Licenses | \$280,000 |
| Cable TV Franchises | \$160,000 |
| Interest Earned on Investments | \$350,000 |
| Concessions and Merchandise | \$70,901 |
| Personal Use of City Vehicles | \$9,300 |
| Contracted Maintenance NCDOT | \$20,000 |

| <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|--|---------------|
| Utilities Franchise Tax State | \$1,670,000 |
| Powell Bill Allocation - State | \$679,297 |
| Local Sales Tax & Hold Harmless Funds | \$4,253,764 |
| Court Cost, Fees and Charges | \$14,000 |
| Building Permits and Inspection Fees | \$142,300 |
| Rezoning & Cemetery Fees | \$50,000 |
| Charges for Services - Refuse / Brush Collection | \$1,071,000 |
| Recycling Revenues | \$13,000 |
| Sale of Cemetery Lots | \$35,000 |
| Recreation Fees | \$443,300 |
| Proceeds from Lease Purchase of Equipment | \$900,000 |
| Vice and Narcotics Allocation | \$12,500 |
| Federal Forfeiture Allocation | \$92,362 |
| Grant Proceeds | \$5,750 |
| Fund Balance Appropriation | \$33,333 |
| All Other Revenues | \$397,060 |

Total Estimated Revenues \$21,709,567

Section 3: The following General Fund Fees are hereby adopted for provision of services by the city government for the fiscal year beginning July 1, 2007.

Sanitation Department Fees:

| <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|---|---------------|
| Residential Cans / per month | \$0 |
| Commercial Cans / per month | \$10 |
| Residential Dumpsters / per pick-up | \$25 |
| Commercial Dumpsters / per pick-up | \$25 |
| Above billed <u>monthly</u> based on annualized collection schedule | |
| Missed Residential Dumpsters / per pick-up | \$35 |
| Missed Commercial Dumpsters / per pick-up | \$35 |
| Compaction Dumpsters / per pick-up | \$39 |
| Missed Compaction Dumpster / per pick-up | \$49 |
| Yard Waste Collection per scoop | |
| First and Second scoop* | \$0 |
| Each Scoop thereafter* | \$12 |
| *Applicable to brush that is within specifications | |
| Waste left in ditch, curb or street per scoop | \$24 |
| Waste out of Specs per scoop | \$24 |
| Waste after hours /emergency collection per scoop | \$50 |
| White Goods Collection | \$5 |

Recycling Transfer Station Fees:

| <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|---------------------|---------------|
| Tipping Fee per Ton | \$44 |

Planning Department Fees:

| <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|-------------------------------------|---------------------|
| Rezoning: | |
| Text (Ordinance, use list) | \$200 |
| Map of CU district Only | \$200 |
| CU Permit or amendments | \$300 |
| SUP Permit or amendments | \$300 |
| BOA: | |
| Appeal | \$0 |
| Variance | \$250 |
| Interpretation | \$250 |
| Watershed Permit | \$25 |
| Flood Zone Permit | \$25 |
| Zoning Compliance Permits: | |
| SF Res | \$25 |
| Duplex | \$100 |
| MF Res | \$200 |
| Commercial | \$250 |
| Industrial / Institutional | \$250 |
| SF Accessory Structure | \$10 |
| Accessory Structure Commercial | \$25 |
| Accessory Structure Industrial | \$25 |
| Accessory Structure Institutional | \$25 |
| Soil Evaluation | \$10 |
| Change Occupancy | \$25 |
| Change Use | \$50 |
| Sign | \$25 |
| Certificate of Zoning Compliance: | |
| SF Res | \$25 |
| Duplex | \$25 |
| MF Res | \$50 |
| Commercial | \$100 |
| Industrial | \$100 |
| Change Use | \$100 |
| Subdivision: | |
| Sketch | \$100 |
| Preliminary | \$200 |
| Final | \$200+ \$25 per lot |
| Minor | \$100 |
| Zoning Verification Official Letter | |
| Residential | \$25 |
| Non-Residential | \$75 |

Inspection Department Permit Fees:

| <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|--------------------|--|
| Building Permit | \$5/\$1000 up to \$150,000; \$1.50/\$1,000 thereafter |
| Minimum Permit | \$30 |
| Minimum Sign | \$30 |
| Non-bid Jobs (new) | \$40/ sq ft. |
| Habitable Space | \$20/ sq ft. |
| Mobile Home | \$100 |

Inspection Department Permit Fees: (Cont)

| <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|--------------------------------|-------------------------------|
| Swimming Pool | \$100 |
| Demolition | \$60 |
| Relocate Structure | \$120 |
| Plumbing Permit | |
| Sewer Line: House | \$5 per fixture, \$30 minimum |
| Sewer Line: Commercial / Large | \$30 |
| Sewer Line: Commercial / Large | \$100 |
| Heating / AC Permit | |
| Boiler | \$0.0005/BTU |
| Gas Line- Residential | \$30 |
| Gas Line- Commercial | \$50 |
| Gas Furnace / Gas Pack | \$50 |
| Heat Pump | \$50 |

| | |
|--------------------------------|-----------|
| Oil Furnace | \$50 |
| Air Conditioners | |
| Under 5 tons | \$50 |
| Additional per ton over 5 tons | \$10 |
| Unit Change out (no duct work) | |
| Residential | \$25 |
| Commercial | \$50 |
| Commercial Grease Hood | \$50 |
| Mobile Home Heating / AC Unit | \$40 |
| Gas Appliances | \$10 each |
| Minimum Permit | \$30 |

| | |
|---------------------|---|
| Electrical Permits | |
| Temporary service | \$30 |
| Residential | \$50 |
| Commercial | \$100 first 5000 sq ft plus \$5/1000 sq ft |
| Service Charge | \$30 |
| Service Repair | \$30 |
| Mobile Home Service | \$50 |
| Sign | \$30 |
| Duplex | \$100 |
| Apartments (each) | \$40 |

Parks & Recreation Fees:

| Facility | Service | City Resident | Non-Resident |
|-------------|-----------------------------|---------------|--------------|
| Lake Lucas: | | | |
| | Daily Fishing Permit | \$3.00 | \$4.00 |
| | Annual Fishing Permit: | \$35.00 | \$50.00 |
| | Daily Jon Boat Rental | \$8.00 | \$12.00 |
| | Daily Canoe Rental | \$6.00 | \$10.00 |
| | Boat Rental Spaces: | \$75.00 | \$125.00 |
| | Daily Kayak/Canoe Launch | \$2.50 | \$3.50 |
| | Daily other boat launch | \$7.00 | \$9.50 |
| | Annual Kayak / Canoe Launch | \$35.00 | \$50.00 |

Parks & Recreation Fees (cont):

| Facility | Service | City Resident | Non-Resident |
|--|------------------------------------|---------------|--------------|
| Lake Lucas: | | | |
| | Annual other boat launch: | \$100.00 | \$135.00 |
| Lake Reese: | | | |
| | Daily Kayak/Canoe Launch | \$2.50 | \$3.50 |
| | Daily Other boat launch | \$7.00 | \$9.50 |
| | Annual Kayak / Canoe Launch | \$35.00 | \$50.00 |
| | Annual other boat launch: | \$100.00 | \$135.00 |
| | Daily Duck hunting permit per boat | \$12.50 | \$16.00 |
| Baseball / Softball Field Rental: | | | |
| | Rental Per Hour (no lights) | \$15.00 | \$20.00 |
| | Light Fee Per hour | \$10.00 | \$15.00 |
| | Tournament rental per weekend | | |
| | One field | \$175.00 | \$255.00 |
| | Two fields | \$300.00 | \$400.00 |
| | Concession Stand / Restroom | \$50.00 | \$65.00 |
| | Additional Maintenance | \$45.00 | \$60.00 |
| Youth Sports Fees: | | | |
| | City Resident | \$0.00 | \$40.00 |
| Sunset Theater Rental- Applies to All: | | | |
| | Security Deposit | \$100.00 | |
| | Dark / Rehearsal | \$50.00 | |
| | Non-Profit- Multi Day | \$200.00 | |
| | Non-Profit- Single Day | \$250.00 | |
| | General Meeting | \$75.00 | |
| | Private Event | \$300.00 | |
| | Commercial / For Profit | \$350.00 | |

Rotary Pavilion at Bicentennial Park Rental

| | | | |
|----------------|--|----------|----------|
| | Security Deposit | \$75.00 | \$75.00 |
| | Daily Rate | \$100.00 | \$175.00 |
| Skate Park | | | |
| | ½ day admission (school hrs only) | \$1.00 | \$3.00 |
| | Full day admission (Non-School hrs) | \$2.00 | \$4.00 |
| | 15 admission pass | \$25.00 | \$50.00 |
| | 1 year unlimited pass | \$150.00 | \$300.00 |
| Room Rental | | | |
| | 1 hour | \$20.00 | \$25.00 |
| | ½ Day | \$60.00 | \$75.00 |
| | Full Day | \$100.00 | \$125.00 |
| Shelter Rental | | | |
| | Memorial Park: 10am-3pm; 3:30pm-dark | \$0.00 | \$35.00 |
| | Full Day | | \$70.00 |
| | All other Parks: 10am-3pm; 3:30pm-dark | \$0.00 | \$20.00 |
| | Full Day | | \$40.00 |

Parks & Recreation Fees (cont):

| Facility | Service | City Resident | Non-Resident |
|--------------|--|---------------|--------------|
| Tennis Ctr | Lights per hour per court | \$3.00 | \$4.00 |
| Pools: | | | |
| | Swimming Lessons | \$25.00 | \$30.00 |
| | Swim Pass (15 admissions) | \$30.00 | \$40.00 |
| | Pool Rental (2 hr min) 0-49 | \$150.00 | \$225.00 |
| | Pool Rental (2 hr min) 50+ | \$200.00 | \$300.00 |
| | Public Swim (day) | | |
| | 2 years & under with paying adult | \$0.00 | |
| | 3 years & older | \$2.50 | \$3.25 |
| | Groups (15+) | \$2.00 | \$2.75 |
| | Public Swim (night) | | |
| | 2 years & under with paying adult | \$0.00 | |
| | 3 years & older | \$2.00 | \$2.75 |
| Golf Course: | | | |
| | Daily Green Fees- Walking | \$8.00 | \$10.00 |
| | Daily Green Fees: Riding 9 holes | \$14.00 | \$17.00 |
| | Daily Green Fees: Riding 18 holes | \$20.00 | \$24.00 |
| | Twilight (after 3 pm- Riding 18 holes) | \$15.00 | \$19.00 |
| | Membership Fees | | |
| | Individual | \$365.00 | \$430.00 |
| | Family | \$480.00 | \$600.00 |
| | Student / Senior | \$260.00 | \$305.00 |
| | Cart Fee Senior Member / City Resident | | |
| | Nine Holes | \$5.00 | \$6.00 |
| | Eighteen Holes | \$10.00 | \$12.00 |
| | Daily Cart Fees | | |
| | Nine Holes | \$6.00 | \$7.00 |
| | Eighteen Holes | \$12.00 | \$14.00 |

**City Resident / Non-resident rates are established according to the residence of the individual. City Residents need to obtain a REC card to receive the City Resident Rate

Section 4: 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, 2007 and ending June 30, 2008, in accordance with the chart of accounts heretofore established for this City:

| ACCOUNT # | DEPARTMENT OR FUNCTION | APPROPRIATION |
|-----------|----------------------------|---------------|
| 30-720.00 | Billing and Collecting | \$372,791 |
| 30-810.00 | Water Meter Operations | \$419,570 |
| 30-820.00 | Water Supply and Treatment | \$2,387,579 |
| 30-830.00 | Wastewater Treatment | \$4,708,880 |
| 30-840.00 | Water Maintenance | \$1,298,328 |
| 30-850.00 | Wastewater Maintenance | \$1,783,953 |
| | Total Appropriations | \$10,971,101 |

Section 5: It is estimated that the following revenues will be available in the Water and Sewer Fund for the fiscal year beginning July 1, 2007 and ending June 30, 2008:

| <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|---------------------------------|---------------------|
| Interest Earned on Investments | \$450,000 |
| Sale of Water | \$5,737,000 |
| Sewer Charges | \$4,250,000 |
| Sampling and Monitoring Fees | \$24,900 |
| Surcharges | \$70,000 |
| Septic Tank Discharges | \$70,000 |
| Water and Sewer Connection Fees | \$108,000 |
| Other Revenues | \$261,201 |
| Total Estimated Revenues | \$10,971,101 |

Section 6: The following Water & Sewer Fund Fees are hereby adopted for provision of services by the city government for the fiscal year beginning July 1, 2007.

Water & Sewer Billing Department:

| <u>SERVICE</u> | <u>INSIDE CITY</u> | <u>OUTSIDE CITY</u> |
|--|--------------------|---------------------|
| Residential Customer (ea. 2 month) | | |
| Water Minimum Fee | \$15.34 | \$38.35 |
| Sewer Minimum Fee | \$19.25 | \$48.13 |
| Commercial Customer (monthly) | | |
| Water Minimum Fee | \$12.27 | \$30.68 |
| Sewer Minimum Fee | \$12.27 | \$30.68 |
| Consumption Fee above minimum for all above referenced customers: | | |
| Water - per 100 cu. ft. over 300 cu. ft. | \$2.51 | \$6.28 |
| Sewer - per 100 cu. ft. over 300 cu. ft. | \$2.51 | \$6.28 |
| Outside Sewer Only | | \$48.13 |
| Deposit for service | \$110.00 | \$140.00 |
| Fees: | | |
| Late Payment Charge* | \$5.00 | \$5.00 |
| * Late Payment Charge is applicable when payments are not <u>received in the office</u> by 5:00pm on the due date. | | |
| Disconnect Fee | \$30.00 | \$30.00 |
| Return Check / Draft fee | \$25.00 | \$25.00 |
| Partial Payment fee | \$5.00 | \$5.00 |

Water & Sewer Maintenance Department:

| <u>SERVICE</u> | <u>INSIDE CITY</u> | <u>OUTSIDE CITY</u> |
|---------------------------------|--------------------|---------------------|
| Water Tap Rates: | | |
| 3/4" Complete Service | \$1,400 | \$2,100 |
| 1" Complete Service | \$1,700 | \$2,500 |
| 1 1/2" Complete Service | \$2,900 | \$4,300 |
| 2" Complete Service | \$3,000 | \$4,500 |
| 3/4" New Tap | \$700 | \$1,050 |
| 1" New Tap | \$850 | \$1,250 |
| 1 1/2" New Tap | \$1,450 | \$2,150 |
| 2" New Tap | \$1,500 | \$2,250 |
| 3/4" New Meter, Setter, Box | \$700 | \$1,050 |
| 1" New Meter, Setter, Box | \$850 | \$1,250 |
| 1 1/2" New Meter, Setter, Box | \$1,450 | \$2,150 |
| 2" New Meter, Setter, Box | \$1,500 | \$2,250 |
| 3/4" New Meter, existing svc. | \$60 | \$90 |
| 1" New Meter, existing svc | \$200 | \$300 |
| 1 1/2" New Meter, existing svc. | \$375 | \$570 |
| 2" New Meter, existing svc. | \$550 | \$825 |
| Services not listed | cost | cost plus 50% |
| Sewer Tap Rates: | | |
| 4" Complete Service | \$1,100 | \$2,200 |
| 6" Complete Service | \$1,200 | \$2,400 |

