

**REGULAR MEETING  
ASHEBORO CITY COUNCIL  
CITY COUNCIL CHAMBER, MUNICIPAL BUILDING  
THURSDAY, JUNE 5, 2014  
7:00 p.m.**

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This being the time and place for a regular meeting of the Asheboro City Council, a meeting was held with the following elected officials and staff members present:

David H. Smith            ) – Mayor Presiding  
  
Talmadge S. Baker        )  
Clark R. Bell             )  
Edward J. Burks         )  
Linda H. Carter         ) – Council Members Present  
Michael W. Hunter       )  
Walker B. Moffitt        )  
Charles A. Swiers        )

John N. Ogburn, III, City Manager  
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal  
Jason A. Hanson, Police Lieutenant  
Leigh Anna Johnson, Public Information Officer  
Ralph W. Norton, Chief of Police  
Trevor L. Nuttall, Community Development Director  
Deborah P. Reaves, Finance Director  
James O. Smith, Police Major  
Judy H. Smith, Assistant Water Quality Manager  
Jeffrey C. Sugg, City Attorney  
E. Todd Swaney, Police Captain  
Dina W. Tutterow, Chemist  
Bernadine Wardlaw, Water Quality Manager

**1. Call to order.**

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

**2. Silent prayer and pledge of allegiance.**

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

Mayor Smith welcomed everyone in attendance, specifically Boy Scouts from Troop 527 who were in attendance as a requirement for their Citizenship and Communication Merit badges.

**3. Presentation to Dr. Diane Frost, retiring Superintendent of Asheboro City Schools.**

On behalf of the Asheboro City Council, Mayor Smith presented Dr. Diane Frost with a key to the City of Asheboro as a token of appreciation for her service to Asheboro as superintendent of Asheboro City Schools. Dr. Frost thanked the Mayor, City Council Members, and city staff along with the community and citizens of Asheboro for their support as she served as superintendent.

**4. Recognition of Judy Smith and Dina Tutterow on their successful completion of the Class IV Wastewater Laboratory Analyst exam given by the American Water Works Association – Water Environment Association – Wastewater Laboratory Analyst Certification Program.**

Ms. Bernadine Wardlaw, who is the city's Water Quality Manager, recognized Ms. Judy Smith and Ms. Dina Tutterow on their successful completion of the very challenging Class IV Wastewater Laboratory Analyst exam given by the American Water Works Association – Water Environment Association – Wastewater Laboratory Analyst Certification Program. Ms. Wardlaw presented Ms. Smith and Ms. Tutterow with certificates that were received from the American Water Works Association in recognition of this high honor.

**5. Recognition of Brenda McMasters, Master Police Officer (Retired), for her years of dedicated service to the City of Asheboro.**

On behalf of the City of Asheboro, Chief Norton presented a retirement plaque to Master Police Officer Brenda McMasters for her years of dedicated service to the City of Asheboro. Additionally, Chief Norton and Assistant Chief Williams presented Officer McMasters with a plaque that included her badge as a token of gratitude for her loyal service to the City of Asheboro as a police officer from May 19, 1999 until June 1, 2014. In addition to her badge, Chief Norton and Captain Swaney presented Officer McMasters with her service side arm that she carried at the time of her retirement

**6. Consent Agenda:**

Prior to the adoption of the consent agenda, and with the general consent of the Council Members, Mayor Smith removed item (e) Change Order #1 (Final) on the Airport Obstruction Clearing Project (Terry's Plumbing and Utilities, Inc.) increasing the construction contract amount by \$7,500 to \$77,718.00 for the clearing of three (3) additional acres as required by recently revised FAA standards. This item was removed at the request of the city staff and will be presented for Council's review at a later date.

Upon motion by Mr. Bell and seconded by Mr. Burks, Council voted unanimously to approve the following consent agenda items.

- (a) **The minutes of the regular meeting of the City Council held on May 8, 2014.**
- (b) **The minutes of the special meeting of the City Council held on May 14, 2014.**
- (c) **The minutes of the special meeting of the City Council held on May 20, 2014.**
- (d) **The receipt on May 21, 2014, of the budget message and proposed budget for the Asheboro ABC Board for fiscal year 2014-2015.**

Copies of the budget message and proposed budget received from the Asheboro ABC Board are on file in the City Clerk's office.

- (e) **A resolution authorizing the implementation of a sign maintenance policy to ensure compliance with minimum retroreflectivity requirements for traffic signage. [Consent Agenda Item (f)]**

**RESOLUTION NUMBER 12 RES 6-14**

**CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA**

**ADOPTION OF A SIGN MAINTENANCE POLICY THAT UTILIZES THE MEASURED SIGN RETROREFLECTIVITY METHOD**

**WHEREAS**, the term "retroreflectivity" is used to describe how light is reflected off of a surface and returned to its original source; and

**WHEREAS**, the Federal Highway Administration, in the most recent edition of the Manual on Uniform Traffic Control Devices, describes five (5) methods deemed acceptable for use by local agencies in maintaining minimum highway sign retroreflectivity; and

**WHEREAS**, each local agency must have an adopted retroreflectivity maintenance policy statement; and

**WHEREAS**, in order to ensure that the city complies with the minimum highway sign retroreflectivity requirements, city staff members have recommended adopting a field assessment methodology that is referred to as the measured sign retroreflectivity assessment method; and

**WHEREAS**, the measured sign retroreflectivity assessment method provides for the direct measurement, during the daytime, of the retroreflectivity of a sign by using a portable retroreflectometer; and

**WHEREAS**, the city has budgeted for a portable retroreflectometer that will enable city staff members to properly implement the measured sign retroreflectivity assessment method; and

**WHEREAS**, the proposed sign maintenance policy attached to this Resolution as EXHIBIT 1 (this policy shall be hereinafter referred to as the "Sign Maintenance Policy") contains the mandated retroreflectivity maintenance policy statement and, if adopted, will implement the policy in a manner that is compliant with all of the applicable laws and regulations; and



necessary repair work orders will be generated from this inventory, and all signs found to be substandard will be replaced in a timely manner.

An on-going log of these inspections will be maintained by the public works division for record keeping purposes within the operations department's traffic unit. At a minimum, these records are to be used by the traffic unit to schedule on a more frequent basis reinspections of those signs that are found to be approaching their minimum retroreflectivity limits.

Date: \_\_\_\_\_

\_\_\_\_\_  
David H. Smith, Mayor

Date: \_\_\_\_\_

\_\_\_\_\_  
David J. Hutchins, Public Works Director

**7. Legislative hearing on a zoning case (RZ-14-04) that was continued from the May meeting to rezone the property of Richard S. Stockner at 609 and 617 N.C. Highway 42 North from R10 and R7.5 (Medium-Density Residential) to OA6 (Office-Apartment).**

Mayor Smith opened the public hearing on the following request.

The requested rezoning pertains to approximately 1.79 acres of land. The property of Ms. Iris B. Stockner is located at 617 N.C. Highway 42 North and is more specifically identified by Randolph County Parcel Identification Numbers 7761321382 and 7761322224. The property of Richard S. Stockner and Robin S. Stockner is located at 609 N.C. Highway 42 North and is more specifically identified by Randolph County Parcel Identification Numbers 7761322047 and 7761312710.

Mr. Nuttall presented the Community Development Division staff's analysis of the request submitted by Mr. Richard S. Stockner to rezone the above-described property from R7.5 and R10 (Medium-Density Residential) to OA6 (Office-Apartment). The staff's analysis is as follows:

- a. The property is inside the city limits. All city services are available.
- b. N.C. Highway 42 North is a state-maintained major thoroughfare.
- c. According to the Zoning Ordinance (Art. 200, Sec. 210): The OA6 District is intended to produce moderate intensity office and residential development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designed [sic] OA6 shall normally be located with access to a major or minor thoroughfare with access to local residential streets discouraged.
- d. The west side of N.C. Highway 42 consists primarily of residential uses in this area except for two churches. On the east side of N.C. Highway 42 is Triangle Park, a 4 acre office and commercial complex.
- e. The existing R7.5 and R10 residential districts permit single or two-family dwellings.
- f. The OA6 district permits single-family and multi-family residential uses with a floor area ratio (FAR) of up to 17 percent and non-residential structures with a FAR of up to 30 percent. If this rezoning is approved, all uses permitted by right would be allowed, including residential development of up to approximately 13,255 square feet or non-residential development of up to approximately 23,391 square feet. In addition to single and multi-family residential uses, other uses allowed by right include offices, churches, schools, and some services uses (such as laundry facilities, beauty/barber shops, and banks). Heavier commercial uses, such as retail, restaurants, sales of motor vehicles, etc. are not permitted in the OA6 district.

Mr. Richard Stockner presented comments in support of the request. No other individuals asked to be heard during the course of this hearing.

The Planning Board concurred with the following Community Development Division staff's analysis and recommended denial of the requested rezoning:

"There are a number of goals and policies supporting the request. The property is located on a major thoroughfare (N.C. Hwy. 42 N.) near its intersection with another major thoroughfare (E. Salisbury St.) and its adjacent to or near commercial, office, and institutional uses. The OA6 district can be an appropriate transition between commercial and residential uses.

However, several LDP goals and policies do not support the request. The proposed land use map designates the property for neighborhood residential use, which encourages residential development of density similar to existing

neighborhoods while limiting multi-family development. The neighborhood residential designation doesn't encourage non-residential development outside of designated neighborhood commercial centers and the Central Small Area plan emphasizes preservation of existing residential neighborhoods. Additionally, the city's draft Comprehensive Transportation Plan identifies NC Hwy. 42 N. as needing improvement. The ability to effectively address adverse impacts, such as mitigating worsening traffic congestion through access management, becomes impractical without the ability to review a site-specific development plan."

There being no further comments and no opposition from the public, Mayor Smith transitioned to the deliberative phase of the public hearing.

Upon motion by Mr. Moffitt and seconded by Ms. Carter, Council voted unanimously to adopt the recommendation/analysis of the Community Development Division staff and the Planning Board and denied the requested rezoning as well as adopting the following consistency statement that was initially proposed in the staff report:

After considering the above factors (the excerpt from the staff report that is quoted above), the existing zoning designation will allow a reasonable use of the property and ensure consistency with the Land Development Plan.

#### **8. Public hearing on the proposed budget for fiscal year 2014-2015.**

Mayor Smith opened the public hearing on the proposed budget for fiscal year 2014-2015.

Ms. Reaves utilized a visual presentation to highlight the fund allocations for the proposed fiscal year 2014-2015 annual budget. The fund allocations are as follows:

General Fund	\$25,380,235
Water & Sewer Fund	<u>\$16,186,468</u>
Total:	\$41,566,703

The recommended budget reflects a property tax rate of \$0.63 per \$100 valuation along with new fees for water and sewer utility services, \$5 for residential garbage collection and \$1 for recycling collection per month. The various water and sewer rates are detailed in the copies of the budget and the visual presentation that are available for inspection.

Mayor Smith invited comments from the public, but none were offered. Mayor Smith closed the public hearing and announced that written comments will be accepted from the public until final consideration of the budget. Final consideration of the budget will take place during a special meeting of the Council at 12:30 p.m. on June 26, 2014 in the Council Chamber.

In addition to a copy of the proposed budget, a copy of the visual presentation utilized by Ms. Reaves is on file in the City Clerk's office.

#### **9. Report on the state of North Carolina's preliminary assessment of transportation priorities for Randolph County under the Strategic Transportation Investments Law.**

Mr. Nuttall reported on the state of North Carolina's preliminary assessment of transportation priorities for Randolph County under the Strategic Transportation Investments Law. The highly ranked proposed transportation projects for the City of Asheboro are as follows:

- Left-turn upgrades – Fayetteville Street and Presnell Street
- Congestion Management Improvements – Dixie Drive and Zoo Parkway
- Widening of N.C. Highway 42 – Dixie Drive to Dublin Road
- Sidewalk Improvements along Salisbury Street – Elm Street to Dublin Road
- Airport Runway Protection Zone Enhancements

Mr. Nuttall noted that a draft FY 2016-2020 Transportation Improvement Plan and a FY 2021-2025 Development Plan will be released in December 2014. City staff will update the City Council as the process develops.

#### **10. Introduction of the city's new methodology for presenting performance measurement data (commonly referred to as the city's new dashboard).**

Mr. Ogburn introduced Ms. Lauren Croughan, MPA, who is a recent graduate from the University of North Carolina Greensboro and has been working with city staff to create a new methodology for presenting performance measurement data known as a "Dashboard." Ms. Croughan introduced the new method in which citizens will be able to click on a tab on the city's website and access the city's performance measurement data listed by certain categories. "Dashboard" will be launched on the city's website soon.

**11. Animal control items:**

- (a) Staff's analysis of potential changes to the current restrictions in the Code of Asheboro pertaining to the maximum number of dogs and cats permitted in any one household.**

Mr. Nuttall utilized a visual presentation in order to summarize research that was obtained and presented at last month's Council meeting. During his presentation, Mr. Nuttall recommended that the current regulations in the Code of Asheboro be amended to allow three dogs and cats, rather than two, in households of less than 30,000 square feet in lot size. The remainder of the regulatory structure would remain the same.

After some discussion, a general consensus of the Council Members was for city staff to draft an ordinance reflecting this recommendation. The draft will be presented to the Council for review at its regular August meeting.

A copy of the visual presentation utilized by Mr. Nuttall is on file in the City Clerk's office.

- (b) An update on the status of the city's contract with Randolph County for animal control services.**

Chief Norton utilized a visual presentation in order to update the Council regarding the city's contract with Randolph County for animal control services. Since April 1, 2012 when Randolph County assumed the responsibilities of providing animal control services within the city for a contracted fee, various issues and concerns about the level of service have arisen.

During his presentation, Chief Norton highlighted certain issues and concerns that have arisen along with action plans to address these issues. As Chief Norton pointed out, city staff has already discussed the action plans with the Randolph County Health Director and the Supervisor of Randolph County Animal Control in order to help improve the county's level of animal control service so as to meet the city's expectations.

Chief Norton and the City Manager recommended that the animal control services contract should be extended for another six (6) months on a trial basis. City staff believes that Randolph County can perform the animal control services function in an effective and cost efficient manner for the City, especially considering start-up costs if the city took over at this point. With the county performing these duties, city police officers are able to perform more law enforcement related duties.

Ms. MiMi Cooper, Randolph County Public Health Director, was available to answer questions.

Money for the 6-month trial contract period is in the proposed budget for Fiscal Year 2014-2015. This issue will be re-examined at the end of the trial period.

A copy of the visual presentation utilized by Chief Norton is on file in the City Clerk's office.

**12. Public comment period.**

Mayor Smith opened the floor for comments from the public.

There being no comments from the public, Mayor Smith closed the public comment period.

**13. Upcoming events that were announced by Mayor Smith:**

- **Randolph County Economic Development Annual Meeting on Tuesday, June 24, 2014 at 8:00 a.m. at AVS.**
- **Special City Council Meeting on Thursday, June 26, 2014 at 12:30 p.m. to consider the adoption of the budget for fiscal year 2014-2015.**

There being no further business, the meeting was adjourned at 9:59 p.m.

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

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