

**REGULAR MEETING  
ASHEBORO CITY COUNCIL  
CITY OF ASHEBORO PUBLIC WORKS FACILITY  
1312 NORTH FAYETTEVILLE STREET, ASHEBORO, NORTH CAROLINA  
THURSDAY, MARCH 5, 2015  
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 in the City of Asheboro Public Works Facility Conference Room located at 1312 North Fayetteville Street, Asheboro, North Carolina with the following officials and members present:

David H. Smith            ) – Mayor Presiding

Talmadge S. Baker        )  
Clark R. Bell             )  
Edward J. Burks         ) – Council Members Present  
Linda H. Carter         )  
Walker B. Moffitt        )  
Charles W. Swiers        )

Michael W. Hunter        ) – Council Member Absent

John N. Ogburn, III, City Manager  
D. Jason Cheek, Police Lieutenant  
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal  
Jason A. Hanson, Police Lieutenant  
Leigh Anna Johnson, Public Information Officer  
Michael L. Leonard, P.E., City Engineer  
Trevor L. Nuttall, Community Development Director  
Deborah P. Reaves, Finance Director  
Michael D. Rhoney, Water Resources Director  
Jeffrey C. Sugg, City Attorney  
E. Todd Swaney, Police Captain  
Jody P. Williams, Chief of Police

**1. Call to order.**

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

**2. Moment of silent prayer and pledge of allegiance.**

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

**3. Appearance and recognition of guests and citizens.**

Mayor Smith welcomed everyone in attendance, specifically, boy scouts from Troop 513 that were in attendance as a requirement for their citizenship badge.

**4. Recognition of Asheboro Police Master Sergeant David R. Kennedy for his years of dedicated service to the City of Asheboro.**

On behalf of the Asheboro Police Department, Chief Williams presented Master Sergeant Kennedy with a plaque that included his badge as a token of gratitude for his loyal service to the City of Asheboro as a police officer from May 19, 1986 until March 1, 2015. In addition to his badge, Chief Williams and Captain Swaney presented Master Sergeant Kennedy with his service side arm that he carried at the time of his retirement, and on behalf of the City Council and the City Manager's office, Mr. Ogburn presented Master Sergeant Kennedy with a retirement plaque from the municipal corporation.

**5. Consent agenda:**

Upon motion by Mr. Bell and seconded by Mr. Burks, the members of the City Council voted unanimously to approve/adopt the following consent agenda items. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

**(a) The minutes of the City Council's regular meeting on February 5, 2015.**

- (b) **A resolution amending the municipal records retention and disposition schedule for the City of Asheboro.**

**RESOLUTION NUMBER** 07 RES 3-15

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

**AMENDMENTS TO THE MUNICIPAL RECORDS RETENTION AND  
DISPOSITION SCHEDULE FOR THE CITY OF ASHEBORO**

**WHEREAS**, in accordance with Section 121-5 of the North Carolina General Statutes and Section 132-3 of the North Carolina General Statutes, public records maintained by the City of Asheboro may only be destroyed with the consent of the North Carolina Department of Cultural Resources; and

**WHEREAS**, the Municipal Records Retention and Disposition Schedule (the "Retention Schedule") issued by the Government Records Branch of the State Archives of North Carolina, which is part of the Division of Archives and Records within the North Carolina Department of Cultural Resources, is the primary means by which the Department of Cultural Resources gives its consent for the destruction of records that do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified within the schedule; and

**WHEREAS**, in the absence of approving the Retention Schedule, the city is obligated to obtain permission from the Department of Cultural Resources to destroy any record, regardless of how insignificant a particular record might be; and

**WHEREAS**, prior to the City Council's consideration of this Resolution, the most recent edition of the Retention Schedule was published on September 10, 2012, and amended on August 29, 2013, with the Asheboro City Council adopting resolutions of the governing board in 2012 and 2013 to add the board's approval to the Retention Schedule and the subsequent amendment published by the Department of Cultural Resources; and

**WHEREAS**, on January 5, 2015, the Department of Cultural Resources published amendments to Standard 9 (LAW ENFORCEMENT RECORDS) and Standard 12 (PERSONNEL RECORDS) of the Retention Schedule; and

**WHEREAS**, the said amendments of January 5, 2015, which shall be hereinafter collectively referred to as the "Amended Retention Standards," are attached to this Resolution as EXHIBIT 1 and are hereby incorporated into this Resolution by reference as if copied fully herein; and

**WHEREAS**, the city clerk and city manager have recommended approval of the Amended Retention Standards;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro, North Carolina that the Amended Retention Standards are hereby approved; and

**BE IT FURTHER RESOLVED** that the city officials indicated on the signature page form received from the Department of Cultural Resources and attached hereto as EXHIBIT 2 are hereby authorized to execute the said form that is hereby incorporated into this Resolution by reference as if copied fully herein.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 5<sup>th</sup> day of March, 2015.

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

ATTEST:

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

[Exhibits 1 and 2 that were attached to the immediately preceding resolution are on file in the City Clerk's office.]

- (c) **A resolution authorizing the cancellation of a lien against the property at 163 East Academy Street for demolition costs.**

**RESOLUTION NUMBER 08 RES 3-15**

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

**AUTHORIZATION TO CANCEL A DEMOLITION COSTS LIEN  
ENCUMBERING A VACANT LOT ON EAST ACADEMY STREET**

**WHEREAS**, by means of a letter dated February 19, 2015, Mr. H.R. Gallimore, CCIM requested, on behalf of his client, the cancellation by the city of a lien for demolition costs that encumbers a vacant lot owned by Ms. Patsy Miller Hinkle near the intersection of East Academy Street and South Cox Street in Asheboro; and

**WHEREAS**, city staff members, specifically including the city manager and the city attorney, concluded that the request should be forwarded to the Asheboro Redevelopment Commission and the City Council for consideration; and

**WHEREAS**, the said letter from Mr. Gallimore is attached to this Resolution as EXHIBIT 1 and a memorandum from the city attorney to the city manager is attached to this Resolution as EXHIBIT 2 (the said exhibits are hereby incorporated into this Resolution by reference as if copied fully herein); and

**WHEREAS**, in 2011, city inspectors determined that the vacant residential structure located at 163 East Academy Street in Asheboro (Randolph County Parcel Identification Number 7751816945) was unsafe and should be removed (the said vacant residential structure shall be hereinafter referred to as the "Unsafe Structure"); and

**WHEREAS**, due the Unsafe Structure's state of decay, city inspectors could not safely obtain measurements of all areas within the structure, and, to ensure the safety of city personnel and contractors, estimates had to be utilized to determine whether the value of the structure warranted an effort to repair rather than to demolish the structure; and

**WHEREAS**, an analysis of the situation led to the ultimate conclusion that the only economically viable option was to demolish the Unsafe Structure and remove the debris from the lot; and

**WHEREAS**, the owner of the real property, Ms. Patsy Miller Hinkle, did not have the financial means to contract for the necessary asbestos abatement and demolition work; and

**WHEREAS**, during 2011, the city's current code enforcement program for removing nuisance structures by means of entering into consent agreements that take account of a property owner's assistance with removing hazardous conditions in an expedient manner, limiting operational costs for enforcement actions, and eliminating litigation costs for the city had not come into existence; and

**WHEREAS**, in light of the absence of an established program to assist with the removal of the structure and the immediate need to remove the Unsafe Structure, Ms. Hinkle agreed, in advance of the actual demolition work, to sign an agreement to pay the estimated cost of the entirety of the demolition work and repay the city over time; and

**WHEREAS**, a North Carolina Deed of Trust reflecting the cost for the city to conduct this demolition work, including asbestos abatement work by a properly trained and credentialed contractor, was recorded in the office of the Randolph County Register of Deeds in Book 2236, Page 1174 on June 10, 2011, and the hazardous conditions on the lot were abated by August 18, 2011; and

**WHEREAS**, in August 2011, Ms. Hinkle began to faithfully make monthly payments in accordance with her agreement with the city, and this stream of payments has reduced the amount of the outstanding debt from \$15,597.00 to \$13,309.44; and

**WHEREAS**, during the course of making these payments, Ms. Hinkle has actively taken steps, which are described in the letter attached to this Resolution as EXHIBIT 1, to encourage the development of the currently vacant lot in accordance with the city's comprehensive plans for the downtown area; and

**WHEREAS**, in light of Ms. Hinkle's unfailing and unequivocal cooperation with the city's efforts to quickly and cost effectively eliminate hazardous conditions in the downtown area, she would have been eligible to receive the benefits of a consent agreement under the city's current program for abating unsafe structures if the demolition work performed on her East Academy Street lot had been performed in calendar years 2014 or 2015 rather than in 2011; and

**WHEREAS**, city staff members have noted, and the members of this governing board concur with this conclusion, that the city would receive current value or consideration for cancelling the lien for

demolition costs if, as indicated in Mr. Gallimore's letter, such an action could facilitate the type of infill development envisioned by the city's comprehensive plans for the downtown area; and

**WHEREAS**, during its regularly scheduled meeting on March 2, 2015, the Asheboro Redevelopment Commission considered this issue and, by means of a unanimous decision, recommended that the above-described lien for demolition costs should be cancelled because, for the reasons stated in the attached documents, such a cancellation would further the public interest;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro, North Carolina that the balance of the outstanding debt owed by Patsy Miller Hinkle for the asbestos abatement and demolition costs associated with the above-described removal of the Unsafe Structure from 163 East Academy Street is hereby forgiven as of the date and time of the adoption of this Resolution; and

**BE IT FURTHER RESOLVED** that any and all city officials necessary to the task of implementing the forgiveness of the above-described debt are authorized and directed to immediately take the administrative actions required to mark the indebtedness as satisfied, specifically including without limitation the recording of a Certificate of Satisfaction to indicate that the North Carolina Deed of Trust recorded on June 10, 2011, in the office of the Randolph County Register of Deeds in Book 2236, Page 1174, has been satisfied.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 5<sup>th</sup> day of March, 2015.

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

ATTEST:

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

[Exhibits 1 and 2 that were attached to the immediately preceding resolution are on file in the City Clerk's office.]

**6. Community Development Division Items:**

- (a) Quasi-judicial hearing (Case Nos. SUP-15-02 and SUB-15-01): Combined hearing on applications for a special use permit and a variance from the subdivision ordinance, along with a subdivision sketch design plat review, for Phase III of Olde Towne Village Subdivision.**

Mayor Smith opened a combined public hearing on the following applications for a Special Use Permit and a Sketch Design Plat review and approval, which was quasi-judicial in nature, and a variance from the subdivision ordinance. These cases were filed under Community Development Division file numbers SUP-15-02 and SUB-15-01.

The applications submitted by property owner Carolina Bank requested the following land use approvals: (a) a variance from the recreation space requirements found in Article X, Section IV.C.9 of the Asheboro Subdivision Ordinance, specifically 4,207 square feet of recreation space that is required for Phase III of the development; (b) the issuance of a Special Use Permit authorizing a Residential Planned Unit Development (PUD); and (c) approval of a subdivision sketch design plat. In order for this proposed development to proceed as currently designed, the applicant needed the Council's approval of all three of the requests.

The zoning lot for which these land use requests have been made is located at the terminus of Old Towne Parkway. This property is approximately 18.03 acres of land in size, and the proposed planned unit development is located on a portion of the parcel of land identified by Randolph County Parcel Identification Number 7741971725.

The Special Use Permit sought by the Applicant for a residential planned unit development would authorize a total of five (5) detached single family dwellings on the zoning lot at the terminus of Olde Towne Parkway. This Phase III of Olde Towne Village adjoins Phase II and its previously approved planned unit development.

Phase III, which is located in an R15 zoning district, is proposed to include the planned unit development on 6.03 acres of the zoning lot, and the remaining area of 12 acres, more or less, will be a future development area.

The request includes the extension of Olde Towne Parkway, which is a city-maintained street. The proposed street extension will be constructed by city standards.

The zoning lot has some areas with steep slopes as well as a 100-year floodplain. The Application proposes to construct the future development outside of the flood area.

The sketch design plat shows that the proposed Phase III with its five (5) lots plus common area will have an average lot size of 3,503 square feet plus the common area. Because of severe topographical conditions and the ability to access amenities in the Phase III area, the Applicant is seeking a variance to provide relief from the requirement of 4, 207 square feet of recreation space in the Phase III area.

The Planning Board gave a favorable recommendation in support of approving the requested subdivision ordinance variance and in support of granting approval of the proposed sketch design plat. This recommendation did include the adoption of the comments provided in the staff report.

In order to consider these land use requests, the City Council conducted a quasi-judicial hearing and received sworn testimony from the following individuals:

Trevor Nuttall (Community Development Director)  
Lawson Brown, Esq. (Attorney for the Applicant)  
Aden R. Stoltzfus, P.E. (Engineer for the Applicant)  
Paul G. Milam (N.C. Real Estate Broker)

In order to render a decision on the Applicant's request for a Special Use Permit and sketch design approval, the Council first considered the written subdivision ordinance variance request that was supported with engineering data submitted by the applicant's engineer. After considering the evidence, the Council, upon motion by Mr. Moffitt and seconded by Mr. Baker, voted unanimously to grant the requested variance from Article X, Section IV.C.9 of the Asheboro Subdivision Ordinance. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

After granting the requested variance, the City Council, upon motion by Mr. Bell and seconded by Ms. Carter, voted unanimously to approve, with conditions, the issuance of a Special Use Permit authorizing a Planned Unit Development for Phase III of the development with a total of five (5) detached single-family homes. Council Members Baker, Bell, Burks, Carter, Moffitt and Swiers voted in favor of the motion. The conditions attached by the Council to the approved Special Use Permit are as follows:

1. Additions located to the rear of individual dwellings or the enclosure of patios and porches shall not be considered a modification of this permit.
2. Homeowners' documents prohibiting recreational vehicle (including boat) parking as required by the Subdivision Ordinance shall be submitted and recorded with the final plat.
3. In addition to demonstrating compliance with the City of Asheboro Subdivision Ordinance, any subdivision plat submitted for review and approval shall provide adequate turnaround and maneuvering space on existing and future public streets for municipal vehicles, specifically including garbage trucks and fire trucks.
4. The proposed site plan indicates a future development area on the Zoning Lot that may include land uses not requiring a Special Use Permit. The land use activities that do not require a Special Use Permit may be permitted to the full extent permitted by the Asheboro Zoning Ordinance. Such engagement in these land use activities shall not be deemed to be a modification requiring the issuance of a new Special Use Permit, unless proposed land use activities require a new Special Use Permit.
5. Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute, and deliver to the Zoning Administrator for recordation in the office of the Randolph County Register of Deeds a Memorandum of Land Use Restrictions prepared by the City Attorney for the purpose of placing notice of the conditions attached to this Special Use Permit in the chain of title for the Zoning Lot.

After granting the requested variance and approving the Special Use Permit, the City Council, upon motion by Mr. Swiers and seconded by Mr. Burks, voted unanimously to approve the subdivision sketch design that called for five (5) lots plus common area with an average lot size of 3,503 for detached single-family dwellings. :

The combined findings, conclusions, and orders approving the above-described subdivision ordinance variance, and Special Use Permit will be adopted during the Council's next regular meeting on April 9, 2015.

[An audio recording of the sworn testimony received during the public hearing is on file in the City Clerk's office.]

**(b) Preliminary subdivision plat review (Case No. SUB-14-01) for Springwood Townhomes.**

Mr. Nuttall presented the preliminary plat for Springwood Townhomes. McMc Properties, LLC requested the approval of a subdivision consisting of 24 lots with an average lot size of 2,060 square feet located at the terminus of Springwood Road. The plat submitted for approval pertains to approximately 6.75 acres of land.

During his presentation, Mr. Nuttall noted that the Community Development Division and the Planning Board recommended granting the request with the following comments:

1. The proposed plan includes minor changes from the sketch design plan. These include relocation of two of the dwelling units, a different location for one of the three recreation areas, and a small change in the total amount of recreation space (an increase from 10,189 square feet to 10,238 square feet). After reviewing the record of the proceedings, these changes are not considered modifications that would require a new Special Use Permit.
2. Homeowners' association (HOA) documents will need to be recorded with the final plat. As noted, HOA documents will need to prohibit parking of RV vehicles (travel trailers, boats, etc.)

Upon motion by Mr. Bell and seconded by Mr. Moffitt, Council voted unanimously to approve, with the immediately preceding comments/conditions, the preliminary plat submitted for the Springwood Townhomes subdivision. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

The aforementioned plat along with a copy of the visual presentation utilized by Mr. Nuttall are on file in the City Clerk's office.

**(c) Consideration of an application submitted by J. Michael O'Kelley for a vacancy on the Redevelopment Commission.**

At the request of city staff, the above-referenced item was withdrawn in order to allow review of applications that had not been distributed fully to the Redevelopment Commission.

**7. Eastside Improvement Association Items:**

**(a) Loan status and financial report.**

Mr. Deneal McNair, President of the Eastside Improvement Association, reported to the Council that the Eastside Improvement Association is in the process of re-working a loan with Community One for property that houses the Central Gymnasium and Asheboro Daycare. The loan is set to close on or around April 15, 2015. With securing the loan and projected revenues from entities, such as the Boys and Girls Club, the Eastside Improvement Association hopes to save the property for long-term use by the community.

**(b) Request for City Council to authorize the drafting of a lease agreement for a potential Community Police Resource Center.**

During his presentation, Mr. McNair requested that the City Council authorize the drafting of a lease agreement for a potential Community Police Resource Center to be located in a building owned by the East Side Improvement Association, Inc.

**(c) Request for the city to approve sponsorship of Police Athletic League in partnership with the ESIA.**

In addition to his request for the authorization of a lease agreement for a Community Police Resource Center, Mr. McNair requested a letter from the city in support of a sponsorship of a Police Athletic League in partnership with the Eastside Improvement Association.

Upon motion by Mr. Bell and seconded by Mr. Baker, Council unanimously authorized the City Attorney to draft a lease agreement for a potential Community Police Resource Center and for

city staff to draft a letter in support of a sponsorship of a Police Athletic League in partnership with the Association. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

**8. 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.

**9. Water Resources Division Items:**

**(a) Consideration of a resolution to accept a State Revolving Grant for the Penwood Branch Partial Sewer Evaluation and Professional Engineering Report Project.**

Mr. Rhoney presented and recommended adoption, by reference, of the aforementioned resolution.

Upon motion by Mr. Baker and seconded by Ms. Carter, Council voted unanimously to adopt the following resolution by reference. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

**RESOLUTION NUMBER 09 RES 3-15**

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

**ACCEPTANCE OF A STATE GRANT FOR THE  
PENWOOD BRANCH PARTIAL SEWER EVALUATION  
AND PRELIMINARY ENGINEERING REPORT**

**WHEREAS**, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, water supply systems, and water conservation projects; and

**WHEREAS**, the North Carolina Department of Environment and Natural Resources has offered a State Revolving Technical Assistance Grant in the amount of \$49,999 for the Penwood Branch Partial Sewer Evaluation and Preliminary Engineering Report; and

**WHEREAS**, the City of Asheboro, North Carolina intends to conduct said project in accordance with the approved plans and specifications;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro, North Carolina that the City of Asheboro does hereby accept the State Revolving Grant offer of \$49,999; and

**BE IT FURTHER RESOLVED** that the City of Asheboro does hereby give assurance to the North Carolina Department of Environment and Natural Resources that all items specified in the grant offer, Section II – Assurances will be adhered to; and

**BE IT FURTHER RESOLVED** that John N. Ogburn, III, City Manager, and any successor so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application; and

**BE IT FURTHER RESOLVED** that the City of Asheboro has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting that was held on the 5<sup>th</sup> day of March, 2015.

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

ATTEST:

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

**(b) Consideration of a resolution to amend the professional services contract with The Wooten Company for the Water Treatment Plant Filter Replacement Project.**

Mr. Rhoney presented and recommended adoption, by reference, of the aforementioned resolution.

Upon motion by Mr. Bell and seconded by Mr. Moffitt, Council voted unanimously to adopt the following resolution by reference. Council Members Baker, Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

**RESOLUTION NUMBER** 10 RES 3-15

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

**AMENDMENT OF THE PROFESSIONAL SERVICES CONTRACT WITH THE WOOTEN COMPANY  
FOR THE DESIGN SERVICES NEEDED FOR THE WATER TREATMENT PLANT FILTER  
REPLACEMENT PROJECT**

**WHEREAS**, pursuant to Asheboro City Council Resolution No. 43 RES 10-12, which was adopted on October 4, 2012, the City of Asheboro entered into a professional services agreement with The Wooten Company in order to obtain the engineering services needed to successfully complete the Water Treatment Plant Filter Replacement Project (hereinafter referred to as the "Filter Replacement Project"); and

**WHEREAS**, subsequent to the initial award of the contract, the city decided to expand the scope of the project, and, on the basis of a previous amendment to the professional services agreement, the current total contract fee for the engineering services provided by The Wooten Company for the Filter Replacement Project is \$96,200.00; and

**WHEREAS**, the North Carolina Department of Environment and Natural Resources has now offered to the city a State Revolving Loan to facilitate the successful completion of the Filter Replacement Project; and

**WHEREAS**, in order to avail itself of this State Revolving Loan, the city will need to obtain previously unanticipated funding administration services from the project engineer, The Wooten Company; and

**WHEREAS**, The Wooten Company has submitted a proposed contract amendment, which is labeled "AMENDMENT NO. 2 TO OWNER-ENGINEER AGREEMENT" and is attached to this Resolution as EXHIBIT 1 (the said exhibit is hereby incorporated into this Resolution by reference as if copied fully herein), that increases the contract fee by \$13,500.00, which is a fixed fee, in consideration of The Wooten Company providing the funding administration needed for the Filter Replacement Project; and

**WHEREAS**, city staff has concluded that an agreement to pay the additional contract fee of \$13,500.00 for the funding administration needed to accept and properly utilize the State Revolving Loan, which will result in a revised total contract fee of \$109,700.00, is in the best long-term fiscal interest of the city; and

**WHEREAS**, the Asheboro City Council concurs with this conclusion;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro, North Carolina that the proposed amendment of the professional services agreement to add a fixed fee of \$13,500.00 for funding administration by The Wooten Company for the Filter Replacement Project is hereby approved; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Asheboro, North Carolina that the city manager and all other necessary city officials are hereby authorized to execute the attached "AMENDMENT NO. 2 TO OWNER-ENGINEER AGREEMENT."

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting that was held on the 5<sup>th</sup> day of March, 2015.

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

ATTEST:

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

City of Asheboro, North Carolina

[Exhibit 1 that was attached to the immediately preceding resolution is on file in the City Clerk's office.]

**10. Reminder of Town Hall Day on Wednesday, March 18, 2015.**

Mayor Smith reminded the Council Members that Town Hall Day is on Wednesday, March 18, 2015. Additionally, Mayor Smith and Mr. Ogburn reminded the Council Members that the State of Randolph will be held on March 20, 2015 at 7:30 p.m. at Cetwick.

There being no further business, the meeting was adjourned at 8:07 p.m.

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Holly H. Doerr, CMC, NCCMC, City Clerk

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David H. Smith, Mayor