

**REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, ASHEBORO CITY HALL
THURSDAY, SEPTEMBER 8, 2022
7:00 P.M.**

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

David H. Smith	) – Mayor Presiding
Clark R. Bell	)
Edward J. Burks	)
Kelly L. Heath	)
William N. McCaskill	) – Council Members Present
Walker B. Moffitt	)
Jane H. Redding	)
Charles A. Swiers	)

John N. Ogburn, III, City Manager
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
Michael L. Leonard, PE, City Engineer
Mark T. Lineberry, Chief of Police
Trevor L. Nuttall, Community Development Director
Deborah P. Reaves, Finance Director
Jeffrey C. Sugg, City Attorney

1. Call to Order

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

2. Moment of Silent Prayer and Pledge of Allegiance

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

3. Old Business: NAACP Resolution Request

Mayor Smith opened the floor for council members to discuss the request made by representatives of the Randolph County Chapter of the NAACP, during the city council’s regular meeting in August 2022, for the city council to adopt a resolution titled “Resolution to Remove and Relocate the Confederate Statue and Monument Located at the Historic Randolph Courthouse.” Subsequent to the August 2022 city council meeting, a substitute resolution was submitted for the council’s consideration.

After discussion among the council members, Council Member Moffitt moved, and Council Member McCaskill seconded the motion, to adopt the substitute resolution. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes. Consequently, the following resolution was adopted unanimously.

29 RES 9-22

RESOLUTION

Whereas, in the City of Asheboro, on public property owned by the County of Randolph, in a prominent location on the grounds of the Randolph County Courthouse property, a statue of a Confederate soldier was erected in 1909, dedicated to “our Confederate heroes” in 1911, and remains to this day as a monument to Confederate soldiers.

Whereas, the Confederate statue is offensive to a significant number of Asheboro citizens because of its legacy of racial injustice during the period before and after the statue was erected.

Whereas, due to the passion of those both pro and con concerning the statue, said statue constitutes an ongoing public safety threat in the City of Asheboro.

Whereas, the City of Asheboro desires to continue economic development progress in the City for the benefit of all our citizens. The Confederate statue, because of past injustices it represents and its prominent governmental location, potentially damages the City of Asheboro's ability to recruit new business and industry.

Whereas, the City of Asheboro seeks to be an inclusive and just governmental entity for all our citizens.

NOW, THEREFORE, to accomplish the above mentioned goals, it is **RESOLVED** as follows:

The City Council of Asheboro North Carolina desires that the Confederate statue located on Randolph County Courthouse property in the City of Asheboro be relocated to some other respectable placement as soon as possible. The City Council of Asheboro hereby offers any necessary assistance to facilitate relocation of the statue.

This resolution was duly adopted by the Asheboro City Council in open session during a regular meeting held on the 8th day of September, 2022.

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

ATTEST:

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

4. Presentation by Asheboro Kiwanis Club

The Kiwanis Club of Asheboro, by and through Drew Weiner, club president, and Lynn Jones, club secretary/treasurer, presented the city with a donation in the amount of \$50,000 to be used for the installation of playground equipment at McCrary Ballpark. On behalf of the council members and the entire city, Mayor Smith thanked the club's officers for the donation by the Asheboro Kiwanis Club.

5. Public Comment Period

Mayor Smith opened the floor for comments from the public.

Mr. Clyde Foust, Ms. Jane Gant, Rev. James Pemberton, Kevin Price, Joan Akers, Dean Brown, Chuck Egerton, and Bishop Michael Trogdon commented on issues related to the resolution adopted as part of the council's action in connection with the preceding agenda item three.

In addition to comments related specifically to agenda item three, Bishop Trogdon commented on the allocation of resources for recreation facilities and the need for resources on the east side of Asheboro.

In addition to commenting on agenda item three, Rev. Pemberton and Mr. Price also commented individually on different aspects of city public works activities such as road maintenance/safety and the impact that public projects have on private property.

Ms. Pat McGrath commented on the state of city parks, most specifically Frazier Park.

6. Consent Agenda

Council Member Burks moved, and Council Member Heath seconded the motion, to approve/adopt the consent agenda as presented. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes. Consequently, the following actions were unanimously approved/adopted by the city council.

(a) City Council Meeting Minutes for July 26, 2022

The meeting minutes for the city council's special meeting on July 26, 2022, were approved and have been filed in the city clerk's office. An electronic copy of the approved document has been posted on the city's website.

(b) City Council Meeting Minutes for August 4, 2022

The meeting minutes for the city council's regular meeting on August 4, 2022, were approved and have been filed in the city clerk's office. An electronic copy of the approved document has been posted on the city's website.

(c) Asheboro ABC Board Meeting Minutes for June 27, 2022, and August 8, 2022

The city council acknowledged the receipt of the Asheboro ABC Board's approved meeting minutes for June 27, 2022, and August 8, 2022. These documents have been filed in the city clerk's office and distributed to the city's elected officials.

(d) Appointment of Curtis J. Shipley as a Member and the Designation of Stephen R. Knight as Chairman of the Asheboro ABC Board

RESOLUTION NUMBER 30 RES 9-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**APPOINTMENT OF CURTIS J. SHIPLEY TO A THREE-YEAR
TERM OF OFFICE ON THE ASHEBORO ABC BOARD AND THE DESIGNATION
OF STEPHEN R. KNIGHT AS CHAIRMAN OF THE ASHEBORO ABC BOARD**

WHEREAS, the Asheboro ABC Board (the "Board") consists of three members who are appointed by the Asheboro City Council (the "Council") to terms of office that are three years in duration; and

WHEREAS, Section 18B-700(a) of the North Carolina General Statutes provides, in pertinent part, as follows:

If the board is a three-member board, one member of the initial board of a newly created ABC system shall be appointed for a three-year term, one member for a two-year term, and one member for a one-year term. As the terms of the initial board members expire, their successors shall each be appointed for three-year terms. The appointing authority shall designate one member of the local board as chairman; and

WHEREAS, the Honorable J. Brooke Schmidly, who has completed her most recent three-year term of office as a member of the Board and has been serving as the designated Chairman of the Asheboro ABC Board, has indicated that she does not wish to be reappointed to the Asheboro ABC Board for another three-year term.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, North Carolina that Curtis J. Shipley is hereby appointed, effective September 8, 2022, to the Asheboro ABC Board as a member of the board with a three-year term of office; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that, effective September 8, 2022, Stephen R. Knight is hereby designated as Chairman of the Asheboro ABC Board.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 8th day of September, 2022.

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

ATTEST:

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

(e) Special Event Closure Order – 48th Annual Fall Festival

The council approved a special event closure order, including temporary street closures, for the 48th Annual Fall Festival. The temporary closure order will take effect at 2100 hours on September 30, 2022, and will end at 2030 hours on October 2, 2022. Pursuant to the special event closure order, the Zoo City Social District provisions will not be in effect on September 30, 2022, and October 1, 2022. A copy of the map with the special event closure order is on file in the city clerk's office.

(f) Scheduling of a Legislative Hearing for October 6, 2022

The council approved a request from the community development division to schedule for October 6, 2022, and to advertise, a legislative hearing on an application to amend the existing R10 (CZ) zoning to allow a new residential planned unit development, including a subdivision sketch design, on property at 1223 Crestview Church Road, which is located on the west side of Zoo Parkway (Randolph County Parcel Identification Number 7669289834).

(g) Ordinance Prohibiting Parking on Both Sides of Rich Avenue

ORDINANCE NUMBER 48 ORD 9-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

ORDINANCE TO AMEND THE PARKING REGULATIONS
APPLICABLE TO A SECTION OF RICH AVENUE

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

WHEREAS, Section 71.01(A)(1) of the Code of Asheboro provides as follows:

- (A) Pursuant to instructions given to him by the City Council from time to time and entered in the council minute book, the City Manager shall:
- (1) Cause all streets and parts of streets where parking shall be prohibited during prescribed time periods or at all times to be posted accordingly, or cause the curbs thereof to be painted yellow. He shall then notify the City Clerk, who shall enter the description of such streets or parts of streets in Schedule 1 of § 72.02; and

WHEREAS, the section of Rich Avenue between South Cox Street (North Carolina Secondary Road 2322) and Center Street is located within the corporate limits of the City of Asheboro; and

WHEREAS, in response to public safety concerns that have come to the attention of city staff, the City of Asheboro Engineering Department has prepared a drawing showing a “No Parking” at all times designation for both sides of the described section of Rich Avenue; and

WHEREAS, the Asheboro City Council has concluded that the “No Parking” designation prepared by the engineering department should be implemented.

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

Section 1. On-street parking is hereby prohibited at all times on both sides (north and south) of the section of Rich Avenue located between South Cox Street and Center Street (a distance of approximately 514' from the centerline of South Cox Street to the centerline of Center Street).

Section 2. The City Manager is hereby authorized and directed to cause the “No Parking” zone described in Section 1 of this Ordinance to be marked or posted in accordance with Section 71.01(A)(1) of the Code of Asheboro.

Section 3. The City Clerk shall enter a description of the “No Parking” zone established by this Ordinance on Rich Avenue in Schedule 1 of Section 72.02 of the Code of Asheboro.

Section 4. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. This Ordinance shall take effect and be in force from and after the date of its adoption.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on September 8, 2022.

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

ATTEST:

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

(h) Municipal Declarations – Speed Limitations Associated with United States Highway 64 Business in Asheboro

With the approval of the consent agenda, and subject to the adoption/implementation by the North Carolina Department of Transportation of concurring ordinances and corresponding signage, the city council adopted municipal declarations to both repeal and enact certain speed limitations in connection with the change of United States Highway 64 through Asheboro to United States Highway 64 Business. The adopted municipal declarations, with concurring state ordinance numbers noted parenthetically, are listed in the immediately following nine paragraphs.

(i) City of Asheboro Ordinance Number 49 ORD 9-22 (Concurring State Ordinance Number 1065415)

Repealed Speed Limits: Car – 25 MPH Truck – 25 MPH

Description of Road Impacted: SR 2203 from a point 0.78 mile north of US 64 northward to a point 1.044 miles north of US 64 in Asheboro.

(ii) City of Asheboro Ordinance Number 50 ORD 9-22 (Concurring State Ordinance Number 1081387)

Designated Speed Limits: Car – 45 MPH Truck – 45 MPH

Description of Road Impacted: US 64 BUS – US 64 Business, NC 49 (W. Dixie Drive) between the western corporate limit, SR 1144 (Mack Road), and a point approximately 0.21 mile west of SR 2237 (E. Salisbury Street).

(iii) City of Asheboro Ordinance Number 51 ORD 9-22 (Concurring State Ordinance Number 1081390)

Designated Speed Limits: Car – 55 MPH Truck – 55 MPH

Description of Road Impacted: US 64 Business between a point approximately 0.21 mile west of SR 2237 (E. Salisbury Street) and the eastern corporate limit, 0.03 mile west of SR 2237 (E. Salisbury Street).

(iv) City of Asheboro Ordinance Number 52 ORD 9-22 (Concurring State Ordinance Number 1081400)

Designated Speed Limits: Car – 25 MPH Truck – 25 MPH

Description of Road Impacted: SR 2203 between a point approximately 0.78 mile north of US 64 Business and a point approximately 1.044 miles north of US 64 Business.

(v) City of Asheboro Ordinance Number 53 ORD 9-22 (Concurring State Ordinance Number 1081401)

Designated Speed Limits: Car – 45 MPH Truck – 45 MPH

Description of Road Impacted: NC 42 between a point approximately 0.15 mile east of SR 2196 (Lakecrest Road), the western corporate limit of Asheboro, and a point approximately 0.14 mile east of US 64 Business, NC 49 (Dixie Drive), the eastern corporate limit of Asheboro.

(vi) City of Asheboro Ordinance Number 54 ORD 9-22 (Concurring State Ordinance Number 1081405)

Designated Speed Limits: Car – 45 MPH Truck – 45 MPH

Description of Road Impacted: SR 2345 between SR 2191 (Rock Crusher Road) and a point approximately 0.47 mile east of SR 2191 (Rock Crusher Road).

(vii) City of Asheboro Ordinance Number 55 ORD 9-22 (Concurring State Ordinance Number 1037018)

Repealed Speed Limits: Car – 45 MPH Truck – 45 MPH

Description of Road Impacted: US 64 – W. Dixie Dr. (US 64-NC 49) from the western corporate limit, approximately 0.12 mile east of US 220 Bypass, to S. Fayetteville St. (US 220 Bus.).

(viii) City of Asheboro Ordinance Number 56 ORD 9-22 (Concurring State Ordinance Number 1037019)

Repealed Speed Limits:	Car – 45 MPH	Truck – 45 MPH
Description of Road Impacted:	US 64 – E. Dixie Dr. (US 64-NC49) from S. Fayetteville St. (US 220 Bus.) to the eastern corporate limit, approximately 0.10 mile west of Dublin Rd. (SR 2197).	

(ix) City of Asheboro Ordinance Number 57 ORD 9-22 (Concurring State Ordinance Number 1037243)

Repealed Speed Limits:	Car – 45 MPH	Truck – 45 MPH
Description of Road Impacted:	NC 42 from a point approximately 0.15 mile east of SR 2196 (Lakecrest Road), the west corporate limit of Asheboro, eastward to a point approximately 0.14 mile east of US 64/NC 49 (Dixie Drive), the east corporate limit of Asheboro, in Asheboro (Corporate limits extended).	

7. Quasi-Judicial Hearing: Subdivision Variance Case No. SUB-22-01

Mayor Smith opened the evidentiary hearing on a subdivision ordinance variance application filed by Davidson Land Development, LLC for Windcrest Acres, Section 4 project. Community Development Director Trevor Nuttall was placed under oath and provided the planning staff’s analysis of the variance application.

The land within the contemplated Section 4 of the Windcrest Acres subdivision (the “Variance Lot”) is approximately 19.91 acres in size and is a portion of a parcel of land identified by Randolph County Parcel Identification Number 7762460011. The Variance Lot adjoins Bennett Street.

The city’s zoning map shows the Variance Lot as subject to split R10/RA6 zoning. This split zoning is noted because a small portion of RA6 zoning appears on the zoning map. The planning staff believes the map’s depiction of RA6 zoning is erroneous and is investigating the issue. If an error is confirmed, corrective action will be taken. However, the outcome of that investigation does not substantively impact the council’s consideration of this subdivision variance case.

The Variance Lot is currently undeveloped. The applicant has contended that a variance from the city subdivision ordinance’s mandated curb and gutter design standards for new publicly maintained streets is needed in order to allow the proposed development to proceed.

The Land Development Plan designates the area in which the Variance Lot is located as “Neighborhood Residential.” The land uses surrounding the Variance Lot are described as follows:

North: Windcrest Acres, Section 3	East: Future Development Area
South: Manufactured Home Park	West: Residential (Single-Family, Two-Family, and Multifamily) / Commercial

Mr. Nuttall offered uncontroverted testimony that notice of the variance application had been mailed and posted in accordance with the applicable statutory and ordinance provisions. Mr. Nuttall’s testimony included the following analysis as a trained planning department professional for the City of Asheboro.

1. The requested variance is from the Asheboro Subdivision Ordinance, Article IX (Required Improvements and Design Standards); Section B.1 (Streets, Publicly Maintained, Design Standards), which require that public streets have curb and gutter.
2. This case is limited to the variance request only. A separate subdivision sketch design request filed in compliance with the Subdivision Ordinance will need to be considered following this hearing and the council's adoption of the minutes and Final Decision Document related to this matter.
3. The Subdivision Ordinance generally requires that new publicly maintained streets have curb and gutter.
4. The design of previous sections of Windcrest Acres (Sections 1 through 3) occurred prior to this requirement being in place.
5. The applicant is seeking a variance from the section of the Subdivision Ordinance below, which prescribes the following design standards for publicly maintained streets:

Article IX, Required Improvements and Design Standards

B. STREETS, PUBLICLY MAINTAINED

1. *Design Standards: All streets shall be designed and built in accordance with the current edition of the North Carolina Department of Transportation Division of Highways Minimum Construction Standards for Subdivision Roads, with the following modifications:*

a. Streets with Curb and Gutter Section

1. *Curb and Gutter shall be 30" concrete per N.C. Department of Transportation Standard #846.01.*
2. *Right-of-way, pavement width, and typical street sections for local and collector roads shall conform to the attached illustration for curb and gutter sections. (See attachment IX-A)*

b. Streets with Valley Curb Section

1. *Right-of-way, pavement width, and typical street sections for local valley curb roads shall conform to the attached illustration for local valley curb. (See attachment IX-B)*
2. *The erosion control plan for valley curb section streets must include the following item certified by a registered professional engineer:*

(a) Stormwater quantity and velocity calculations showing that adequate curb inlets are provided so that storm water will not overtop the valley curb during a twenty-five year storm in a manner that will cause erosion of the street shoulders. (Amended 2/03)

6. Mr. Nuttall reviewed the process for evaluating the subdivision variance application. Variance requests, at both the planning board and city council stage, are evaluated by means of a quasi-judicial process that is subject to G.S. 160D-406. The City of Asheboro Planning Board has considered evidence presented by the applicant, their representatives/witnesses, and any other party with standing to be heard on the question of the requested variance. After the planning board's recommendation is received, the city council will hold its own quasi-judicial hearing and consider the entirety of the evidence presented during the council's evidentiary hearing.

City of Asheboro Planning Board Chair Michael O'Kelley was placed under oath and filed with the council the planning board's final decision document recommending the denial of the requested subdivision ordinance variance. A copy of the planning board's recommendation, as found in that board's final decision document, was entered into the record and has been filed in the city clerk's office.

As noted in the planning board's final decision document, Section 160D-705(d) of the North Carolina General Statutes provides as follows:

(d) Variances. -- When unnecessary hardships would result from carrying out the strict letter of a zoning regulation, the board of adjustment shall vary any of the provisions of the zoning regulation upon a showing of all of the following:

- (1) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*
- (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.*
- (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.*
- (4) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.*

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Any other development regulation that regulates land use or development may provide for variances from the provisions of those ordinances consistent with the provisions of this subsection (Emphasis Added).

The City of Asheboro Subdivision Ordinance addresses the subject of variances in Article IV, Section VII of the ordinance by providing as follows:

VII. VARIANCES

Where, because of severe topographical or other conditions peculiar to the site, strict adherence to the provisions of this Ordinance would cause an unnecessary hardship, the City Council, upon recommendation of the Planning Board, may authorize a variance to the terms of this Ordinance only to the extent that is absolutely necessary and not to an extent which would violate the intent of the Ordinance. All requests for variances shall be submitted in writing, by the subdivider or his agent, to the Planning Department. Such request shall be accompanied by materials providing sufficient evidence to support the claim of hardship.

Email correspondence received by the city planning department from the applicant's representative was part of the documentary evidence submitted to the city council. The basis for the requested variance was succinctly stated in email correspondence, dated July 7, 2022, that was directed to the community development director and the assistance community development director by an employee of the engineering firm retained by the applicant. In part, the email message stated:

After looking at the numbers for phase 3, it has been determined that we will be pursuing a variance for phase 4 to remove the curb and gutter.

With the existing topography being more difficult than phase 3, and considering the slim margins on phase 3, the developer has decided to either do the project with no curb, or not to do it at this time.

Can you send us the requirements for the variance request, and any associated applications to get started?

Let us know what you need from us.

On behalf of the applicant, Christian Vestal and Chris Reid were placed under oath and testified in support of the requested variance. Mr. Vestal used a slide show as part of his testimony.

During the testimony presented on behalf of the applicant, the issue of the topography of the land and the high development costs associated with this project were discussed in connection with the applicant's assertion of the need for a variance in order to alleviate an unnecessary hardship. As part of this testimony, conflicting information emerged as to whether or not certain costly materials were mandated for the project by the city's design specifications.

In order to obtain clarification on this issue, a consensus emerged that the issue should be researched with the city's public works officials, specifically including inspectors familiar with the applicant's project, and a report received under oath as part of a continued hearing on the question of the requested subdivision ordinance variance. Consequently, Council Member Moffitt moved, and Council Member Bell seconded the motion, to continue the hearing to the council's next regular meeting on October 6, 2022. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

8. Community Development Division Intern Tyler Brown

During his recently completed internship with the city's community development division, Tyler Brown worked on new wayfinding and crosswalk signage that could be used within the city's downtown district. Utilizing a slide show presentation, Mr. Brown presented examples of the new signage.

The proposed wayfinding signs, 53 inches tall and 30 inches wide, are updated with new color schemes and identify parking areas for citizens. The new crosswalk signs identify the animal tracks imprinted within the crosswalks.

These aluminum signs will be attached the sidewalk beside the crosswalks. Along with the identification of the animal tracks, the signage gives a brief fact about the animal.

A copy of the slide show presentation utilized by Mr. Brown is on file in the city clerk's office. While no formal action was taken by the council during this portion of the meeting, Mayor Smith and the council members expressed their appreciation to Mr. Brown for his good work.

9. Updates from Community Development Director Trevor Nuttall

(a) Acme-McCrary Hosiery Mill Project

Mr. Nuttall reported that, as part of the city's due diligence for the contemplated acquisition by the city of the Acme-McCrary Hosiery Mill property, a Phase I environmental site assessment of the property is underway. The necessary assessments and reviews are on a schedule that is consistent with the goal to bring this project to a successful conclusion by the end of the calendar year.

No formal action was requested of the council during this portion of the meeting, and none was taken.

(b) Trade Street Streetscape Project

Mr. Nuttall reported that a qualification based selection process has been initiated for the Trade Street Streetscape Project. Responses from design professionals have been received, and the final selection process is moving forward in a timely manner. Additional updates will be provided as the project moves forward.

No formal action was requested of the council during this portion of the meeting, and none was taken.

10. Capital Improvement Project Updates

(a) McCrary Ballpark Improvement Project

- (i)** City Engineer Michael Leonard, PE reported that only one vendor had shown the ability to meet the city's specifications for the new grandstand designed for McCrary Ballpark. In light of this fact, Mr. Leonard recommended the adoption of a resolution authorizing a sole source exception to the competitive bidding requirements for the ballpark's new grandstand.

In response to this recommendation, Council Member Bell moved, and Council Member Heath seconded the motion, to approve, by reference, the requested sole source exception resolution that had been prepared by city staff. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes, and the following resolution received unanimous approval.

RESOLUTION NUMBER 31 RES 9-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**SOLE SOURCE EXCEPTION TO COMPETITIVE BIDDING REQUIREMENTS
FOR THE McCRARY BALLPARK IMPROVEMENTS PROJECT**

WHEREAS, McCrary Ballpark, which is owned by the City of Asheboro, is undergoing an improvement project that requires the purchase and installation of a Grandstand Structure and all appurtenant infrastructure; and

WHEREAS, Section 143-129(e)(6) of the North Carolina General Statutes provides that purchases of apparatus, supplies, materials, or equipment are exempt from the bidding process when:

- (A)** Performance and/or price competition for a product are not available;
- (B)** A needed product is available from only one source of supply; or
- (C)** Standardization or compatibility is the overriding consideration; and

WHEREAS, the city council must approve purchases made under the above-stated exemption (the “sole source” exemption) prior to the award of a contract; and

WHEREAS, the Grandstand and the Tnemec Paint are available from one supply source; and

WHEREAS, Rodgers Builders, Inc. is the preferred contractor for this supplier; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the governing board hereby approves the purchase, for a contract price of \$3,597,305.00, of a Grandstand Structure and all appurtenant infrastructure from Rodgers Builders Inc. as a sole source vendor in accordance with Section 143-129(e)(6) of the North Carolina General Statutes.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting on September 8, 2022.

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

ATTEST:

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

(ii) Award of Purchase Contract

Consistent with the preceding action, Mr. Leonard then recommended approval of the purchase contract received from Rodgers Builders, Inc. for the installation of the McCrary Ballpark grandstand and all appurtenant infrastructure for a contract price of \$3,597,305.00. Council Member Bell moved, and Council Member Burks seconded the motion, to adopt the staff recommendation and award the described purchase contract to Rodgers Builders, Inc. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

A copy of the approved purchase contract is on file in the city clerks’ office.

(iii) Corresponding General Fund Amendment

In light of the above-stated contract award, Finance Director Deborah Reaves presented and recommended adoption, by reference, of an ordinance to amend the general fund for fiscal year 2022-2023. In response to this recommendation, Council Member Bell moved, and Council Member Burks seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

58 ORD 9-22

**ORDINANCE TO AMEND
THE GENERAL FUND
FY 2022-2023**

WHEREAS, on August 26, 2022, the City of Asheboro received official notification that the City of Asheboro received a \$1 million dollar state grant for capital improvements or equipment at McCrary Ballpark detailed in the 2022 Appropriations Act.

WHEREAS, the City of Asheboro has received a donation of \$500,000 from Randolph County Government for McCrary Ballpark.

WHEREAS, the City of Asheboro would like to appropriate these funds toward the construction of a grandstand at McCrary Ballpark.

WHEREAS, the estimated cost of construction of the grandstand is estimated at \$3.6 million dollars.

WHEREAS, the City of Asheboro would like to appropriate fund balance in the amount of \$2.1 million dollars in order to proceed with executing a contract for the grandstand construction.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

Section 1: The following revenue line item be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-000-399.0000	Contribution from General Fund	2,100,000

Section 2: The following expense line item be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-620-574.6500	Contribution to McCrary Ballpark Improvements Fund	2,100,000

Adopted this the 8th day of September 2022.

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

ATTEST:

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

(iv) Corresponding McCrary Ballpark Improvements Fund Amendment

After the council’s adoption of the ordinance to amend the General Fund in connection with the purchase contract for the grandstand, Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the McCrary Ballpark Improvements Fund. Council Member Bell moved, and Council Member Heath seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

**ORDINANCE TO AMEND
THE MCCRARY BALLPARK IMPROVEMENTS FUND
FY 2022-2023**

WHEREAS, on August 26, 2022, the City of Asheboro received official notification that the City of Asheboro received a \$1 million dollar state grant for capital improvements or equipment at McCrary Ballpark detailed in the 2022 Appropriations Act.

WHEREAS, the City of Asheboro has received a donation of \$500,000 from Randolph County Government for McCrary Ballpark.

WHEREAS, the estimated cost of construction of the grandstand is estimated at \$3.6 million dollars

WHEREAS, the City of Asheboro would like to use the funds from the state grant and Randolph County Government along with an appropriation of \$2.1 million from City of Asheboro General Fund balance toward the construction of a grandstand at McCrary Ballpark.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

Section 1: The following revenue line Items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
65-000-300.0001	Contribution from General Fund	2,100,000
65-000-300.0000	Donations – Randolph County	500,000
65-000-301.0000	State Grant Proceeds	1,000,000
		<u>\$3,600,000</u>

Section 2: The following expense line item be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
65-000-403.9000-	Construction- Grandstands	3,600,000

Adopted this the 8th day of September 2022.

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

ATTEST:

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

(v) Purchase Contract for Playground, Play Surface, and All Appurtenances for the McCrary Ballpark

Mr. Leonard recommended that a contract for the purchase and installation of an inclusive playground, play surface, and all appurtenances for the McCrary Ballpark be awarded to Play and Park Structures. This contract is available

and compliant with North Carolina’s procurement laws through a group purchasing program known as the Keystone Purchasing Network. The contract price is not to exceed \$50,000.00.

Council Member Burks moved, and Council Member Swiers seconded the motion, to award the above-described contract to Play and Park Structures for a contract price that is not to exceed \$50,000.00. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes. A copy of the approved purchase contract is on file in the city clerk’s office.

(vi) Corresponding Budget Amendment for the Play and Park Structures Contract Award

After the contract award to Play and Park Structures, Ms. Reaves presented and recommended adoption, by reference, of the following budget amendment. In response to this recommendation, Council Member Burks moved, and Council Member Heath seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

60 ORD 9-22

**ORDINANCE TO AMEND
THE MCCRARY BALLPARK IMPROVEMENTS FUND
FY 2022-2023**

WHEREAS, the City of Asheboro has received a commitment from the Kiwanis Club of Asheboro for \$50,000 for the purchase of an inclusive playground for the McCrary Ballpark.

WHEREAS, upon receipt of the funds, the City of Asheboro would like to execute a contract to the purchase of a playground apparatus for the McCrary Ballpark.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

Section 1: The following revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
65-000-300.0000	Donations – Kiwanis	50,000

Section 2: The following expense line item be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
65-000-404.9000	Construction- Playground	50,000

Adopted this the 8th day of September 2022.

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

ATTEST:

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

(b) Asheboro Regional Airport Improvement Project

Mr. Leonard reported that a punch list is all that is left for the runway/taxiway lighting improvement project. Photographs of the improvements were included as part of the city engineer's presentation. The completion of all work and final approvals are anticipated by the end of September 2022.

No action was requested of the council during this portion of the meeting, and none was taken.

11. Proposed Traffic Improvements

(a) Sherwood Avenue and Lambert Drive Intersection

In response to safety concerns raised by residents, Mr. Leonard presented a map depicting a proposed 4-way stop at the intersection of Sherwood Avenue and Lambert Drive. This proposal was received in a positive manner by the elected officials.

Council Member Moffitt moved, and Council Member Bell seconded the motion, to direct city staff to draft an ordinance for a 4-way stop at the intersection of Sherwood Avenue and Lambert Drive. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

An ordinance will be presented for council consideration during the regular meeting on October 6, 2022.

(b) 4-hour Parking Limit – Sunset Avenue between the Railroad Right-of-Way and Church Street

In response to concerns and suggestions from stakeholders in the downtown area, Mr. Leonard presented a map depicting a proposed 4-hour parking limit on Sunset Avenue between the railroad right-of-way and Church Street. The proposal was received in a positive manner by the elected officials.

Council Member Heath moved, and Council Member Swiers seconded the motion, to direct city staff to draft an ordinance establishing a 4-hour parking limit on Sunset Avenue between the railroad right-of-way and Church Street. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

An ordinance will be presented for council consideration during the regular meeting on October 6, 2022.

12. Amendment of the FBO Agreement with Cardinal Air, LLC

The Asheboro Airport Authority has recommended amending the existing lease agreement with Cardinal Air, LLC, which is the fixed base operator ("FBO") at the Asheboro Regional Airport. The purpose of this amendment is to authorize the FBO to assume managerial/administrative responsibilities for the month-to-month hangar leases at the airport that are currently directly administered by the city.

In consideration of providing this additional service, the FBO would retain 35% of the rents collected from the month-to-month hangar tenants. Additionally, under the modified agreement, the city would expand the scope of the utilities paid by the city for the terminal building to include communication services in the building, such as internet connectivity.

In order to approve the proposed amendments to the FBO lease agreement, 30-day legal notice must be provided in compliance with the applicable statutory provisions. In order to meet this requirement and prepare for final council action on this issue

during the regular council meeting in November 2022, Mr. Leonard presented and recommended adoption, by reference, of the following resolution.

In response to this recommendation, Council Member Bell moved, and Council Member Heath seconded the motion, to adopt the following resolution by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

RESOLUTION NUMBER 32 RES 9-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**A RESOLUTION AUTHORIZING THE PUBLICATION OF NOTICE OF THE
INTENT TO APPROVE AMENDMENTS TO THE FIXED BASE OPERATOR
AGREEMENT AT THE ASHEBORO REGIONAL AIRPORT**

WHEREAS, Cardinal Air, LLC (“Cardinal Air”) is the fixed base operator (“FBO”) at the Asheboro Regional Airport (the “Airport”); and

WHEREAS, the current FBO agreement with Cardinal Air expires on April 30, 2025; and

WHEREAS, the Asheboro Airport Authority has recommended amending the FBO agreement with Cardinal Air to reflect the FBO’s willingness to assume administrative responsibilities (e.g., billing and lease administration) for aircraft hangars that are leased on a month-to-month basis; and

WHEREAS, the airport authority has also encouraged the city to broaden the scope of the services at the Airport for which the city makes direct payment in order to bring communication services such as internet access within the scope of services that are paid directly by the city; and

WHEREAS, the consideration to be provided by the city to Cardinal Air in exchange for the FBO assuming additional administrative duties with respect to month-to-month hangar rentals is that the FBO would receive thirty-five percent (35%) of the payments collected from month-to-month hangar rentals; and

WHEREAS, the Asheboro City Council finds that adopting the Asheboro Airport Authority recommendation will be in the best interest of the City of Asheboro.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the city clerk is instructed to publish, in compliance with Section 160A-272 of the North Carolina General Statutes, notice of the city council’s intent to authorize, during its regular meeting in November 2022, the amendment of the existing FBO agreement with Cardinal Air to reflect the above-stated contractual modifications.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on September 8, 2022.

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

ATTEST:

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

13. Two General Fund Budget Amendments

(a) Vehicle and Equipment Acquisition

Finance Director Deborah Reaves presented and recommended adoption, by reference, of an ordinance to amend the General Fund as indicated below. In response to this recommendation, Council Member Burks moved, and Council Member Moffitt seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

61 ORD 9-22

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, Vehicles and Equipment were ordered in fiscal year 2021-2022 with the anticipation that they be received on or before June 30, 2022.

WHEREAS, these vehicles and equipment were earmarked to be paid for out of funds from the June 2022 financing agreement.

WHEREAS, due to a variety of factors impacting the economic environment, vehicles and equipment were not received before June 30, 2022.

WHEREAS, the delay of receipt of vehicles and equipment in 2021-2022 will result in the revenue of debt service proceeds not matched against purchases in 2021-2022 to flow toward fund balance in the June 30, 2022 fiscal year end financial statements.

WHEREAS, an appropriation of fund balance for these vehicles and equipment in 2022-2023 is necessary since these expenses were not included in the 2022-2023 adopted expenditure budget.

WHEREAS, the City of Asheboro desires amend the 2022-2023 budget to as required by law to adjust for changes in revenues and expenditures in comparison to the current adopted budget.

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

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

That the following revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-000-399.0000	Fund Balance Allocation	\$520,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-510-574.0000	Capital Outlay	225,000
10-565-574.0000	Capital Outlay	261,000
10-640-574.0000	Capital Outlay	34,000
		<u>\$520,000</u>

Adopted this the 8th day of September 2022.

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

ATTEST:

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

(b) Grant from Walmart

Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the General Fund as indicated below. Council Member Heath moved, and Council Member Bell seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

62 ORD 9-22

**ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023**

WHEREAS, the City of Asheboro Police Department was awarded a \$2000 grant from Walmart for community outreach and the City of Asheboro desires to the funds from this local grant in the Asheboro Police Department budget in the Community Resource expenditure line item.

WHEREAS, the City of Asheboro desires to amend the 2022-2023 budget as required by law to adjust for changes in revenues and expenditures.

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

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

That the following revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Change</u>
10-000-350.0001	Local Grants	2,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Change</u>
10-510-533.0002	Community Resource Supplies	2,000

Adopted this the 8th day of September, 2022.

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

ATTEST:

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

14. Public Hearing: A Potential Building Reuse Grant Application

Mayor Smith opened the public hearing on a potential building reuse grant application and recognized Kevin Franklin as the first speaker. Mr. Franklin, who is the president of the Randolph County Economic Development Corporation, described the details of a proposed economic development project with PEMMCO Manufacturing, Inc.

As part of his comments, Mr. Franklin asked the city council to adopt a resolution authorizing the submission of a building reuse grant application in support of an improvement project planned by PEMMCO Manufacturing, Inc. for its precision

machine shop in Asheboro. Rick Powell, who is the President of PEMMCO Manufacturing, Inc., also presented comments in support of the resolution.

When no other members of the public asked to be heard, Mayor Smith moved to the deliberative phase of the hearing.

Council Member Bell moved, and Council Member Swiers seconded the motion, to adopt the following resolution by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

RESOLUTION NUMBER 33 RES 9-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

RESOLUTION AUTHORIZING AND SUPPORTING THE SUBMISSION OF A BUILDING REUSE GRANT APPLICATION AS PART OF AN ECONOMIC DEVELOPMENT PROJECT WITH PEMMCO MANUFACTURING, INC.

WHEREAS, the North Carolina Department of Commerce administers grants and loans to units of local government such as the City of Asheboro (the “City”) to support economic development activity that will lead to the creation of new, full-time jobs; and

WHEREAS, PEMMCO Manufacturing, Inc. (“PEMMCO”) is a precision machining company located at 631 Veterans Loop Road in Asheboro; and

WHEREAS, due to consistent growth and the potential for additional large projects, PEMMCO has developed plans to improve its precision machine shop; and

WHEREAS, PEMMCO is proposing, over the course of the next two years, to invest no less than \$223,990 for improvements in real property; and

WHEREAS, in addition to retaining 110 full-time jobs, PEMMCO is committed to creating in Asheboro 18 new full-time jobs with an average annual wage of \$42,000; and

WHEREAS, in light of PEMMCO’s stated commitment to job creation, the City’s professional staff has joined with the Randolph County Economic Development Corporation to recommend that the municipal corporation submit an application for Building Reuse Grant funding in the amount of \$100,000; and

WHEREAS, on September 8, 2022, the Asheboro City Council conducted a properly advertised public hearing on the question of whether to submit the above-described grant application; and

WHEREAS, after considering the information presented during the public hearing, the governing board concurred with the recommendation to submit an application for Building Reuse Grant funding.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the governing board supports the job creation associated with PEMMCO’s proposed improvement project; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the governing board believes that, in addition to job retention and creation, the City’s participation in the proposed economic development project will increase the population, the taxable property base, and business prospects in the City; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that, for the above-stated reasons, the City is fully supportive of submitting a Building Reuse Grant application seeking \$100,000 in funding; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the mayor and the City's appointed officials are hereby authorized to execute the legal instruments necessary to successfully complete the above-described grant application process.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on September 8, 2022.

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

ATTEST:

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

15. Public Hearing: Proposed Economic Development Appropriations

This public hearing pertains to economic development appropriations to three non-profit entities: Randolph County Economic Development Corporation, Asheboro/Randolph Chamber of Commerce, and Downtown Asheboro Inc. These appropriations are not for either property-related activities or business location incentives.

However, due to conflict of interest provisions found in Section 14-234.3 of the North Carolina General Statutes, Mayor Smith and Council Member Heath disclosed their association with one or more of the listed non-profits and the resulting need for their recusal from participating and voting in connection with this agenda item. This disclosure and recusal request occurred prior to the opening of the advertised public hearing.

Council Member Bell moved, and Council Member Burks seconded the motion, to recuse Mayor Smith and Council Member Heath from participating or acting in any manner on the proposed appropriations to the listed non-profit entities. Council Members Bell, Burks, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes. With this vote, Mayor Smith and Council Member Heath were recused from participating in any manner in the meeting agenda item pertaining to the appropriation of funding to the above-listed non-profit entities.

Mayor Pro Tempore Moffitt then opened the public hearing on the proposed economic development appropriations. Finance Director Deborah Reaves was recognized as the first person to speak.

As part of the hearing, Ms. Reaves noted that the role of this public hearing is the required public hearing on economic development appropriations that are not for either property-related activities or business location incentives. The following list illustrates the activities funded by the economic development appropriations discussed during this public hearing.

- New industrial/manufacturing recruitment and site selection.
- State economic incentives information and assistance.
- Local youth and adult leadership training.
- Retail business development.
- Community and events promotion.
- Promotion of downtown through various media formats and public events.
- Creation and implementation of annual economic development plan through the Main Street America Four-Point approach to downtown revitalization.

The above-described services are provided through the combined activities of the Randolph County Economic Development Corporation, the Asheboro/Randolph

Chamber of Commerce, and Downtown Asheboro, Inc. The appropriations proposed for these entities for fiscal year 2022-2023 are as follows:

- Randolph County Economic Development Corporation - \$55,000
- Asheboro/Randolph Chamber of Commerce - \$125,000
- Downtown Asheboro, Inc. -\$120,000

Upon the conclusion of the finance director’s presentation, Mayor Pro Tem Moffitt invited comments from the public. When no one asked to speak, Mayor Pro Tem Moffitt closed the public hearing.

Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the economic development and tourism development fund for fiscal year 2022-2023. In response to this recommendation, Council Member Bell moved, and Council Member Burks seconded the motion, to adopt the following ordinance by reference.

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

63 ORD 9-22

**ORDINANCE TO AMEND THE ECONOMIC DEVELOPMENT & TOURISM
DEVELOPMENT FUND
FY 2022-2023**

WHEREAS, the annual expenditure appropriation for ongoing annual community support payments to various agencies that support and promote Economic Development and Quality of Life in Asheboro need to be amended to account for anticipated expenses in 2022-2023.

WHEREAS, the City of Asheboro desires to amend the 2022-2023 budget as required by law to adjust for changes in revenues and expenditures.

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

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

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

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
72-000-371.0005	GF contribution for Chamber of Commerce	50,000
72-000-371.0006	GF contribution for Chamber of Commerce- DAI office support	25,000
72-000-371.0008	GF contribution for Chamber of Commerce / Venture Asheboro	50,000
72-000-371.0009	GF Contribution for Economic Development Corp.	55,000
72-000-371.0011	GF Contribution Downtown Asheboro Inc.	120,000
		<u>300,000</u>

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

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
72-000-840.9200	Chamber of Commerce	50,000
72-000-840.9201	Chamber of Commerce- Main Street / DAI Office Support	25,000
72-000-840.9203	Chamber of Commerce / Venture Asheboro	50,000
72-000-840.9400	Economic Development Corp.	55,000
72-000-840-9500	Downtown Asheboro Inc.	120,000
		<u>300,000</u>

Adopted this the 8th day of September, 2022.

 /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

16. Upcoming Events and Items not on the Agenda

Mayor Smith and City Manager John Ogburn led a discussion of upcoming events for the city government and within the community. No council action was taken during this portion of the meeting.

There being no further business, the meeting was adjourned at 10:12 p.m.

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

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