

**REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, ASHEBORO CITY HALL
THURSDAY, OCTOBER 6, 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) – Council Members Present
William N. McCaskill)
Walker B. Moffitt)
Jane H. Redding)

Charles A. Swiers) – Council Member Absent

John N. Ogburn, III, City Manager
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
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: Continuation from September 8, 2022, of the quasi-judicial hearing on a subdivision ordinance variance application (Case No. SUB-22-01) for Windcrest Acres, Section 4

Mayor Smith re-opened the above-listed evidentiary hearing and recognized Community Development Director Trevor Nuttall as the first speaker. In turn, Mr. Nuttall presented a written request, which was transmitted to city staff members as an email message on October 5, 2022, by Summey Engineering Associates, PLLC on behalf of the subdivision variance applicant, Davidson Land Development.

By means of this message from the variance applicant’s retained engineering firm, the applicant requested to withdraw the variance petition seeking to remove the curb and gutter requirements from the Windcrest Acres, Section 4 project. No witnesses expressed any opposition to this request.

Council Member Burks moved, and Council Member Heath seconded the motion, to accept the request to withdraw the stated subdivision variance application and to end the council’s consideration of this land use case. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

4. **Listing of the Asheboro Downtown Historic District on the National Register of Historic Places**

Community Development Director Trevor Nuttall introduced Brett C. Sturm, who is a Restoration Specialist with the State Historic Preservation Office. Mr. Sturm discussed the recent listing of the Asheboro Downtown Historic District on the National Register of Historic Places.

This meeting agenda item was for informational purposes only. No formal action was taken by the council during this section of the meeting.

5. **Public Hearing: A Potential Building Reuse Grant Application**

Mayor Smith opened an advertised public hearing on a proposed economic development project that can be implemented by submitting a building reuse grant application. Kevin Franklin, who is the president of the Randolph County Economic Development Corporation, was recognized as the first speaker. Mr. Franklin described the details of the proposed project with Upstyled Goods and Salon, LLC.

As part of his comments, Mr. Franklin asked the city council to adopt the resolution printed below. Todd Trotter presented comments in support of the resolution.

No one spoke in opposition to the proposed project. 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 Burks seconded the motion, to adopt the following resolution by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

RESOLUTION NUMBER 34 RES 10-22

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 UPSTYLED GOODS AND SALON, LLC**

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, UpStyled Goods and Salon, LLC (the “Company”) is a startup retail operation that owns real property at 122 S. Church Street in Asheboro; and

WHEREAS, the Company is proposing to invest no less than \$55,000 in upfits for its real property at 122 S. Church Street; and

WHEREAS, in addition to the above-stated investment in real property improvements, the Company is committed to creating five new, full-time jobs in Asheboro; and

WHEREAS, in light of the Company’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 \$25,000 for this project; and

WHEREAS, on October 6, 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 the Company's proposed 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 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 \$25,000 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 October 6, 2022.

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

ATTEST:

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

6. Public Comment Period

Mayor Smith opened the floor for comments from the public.

Joel McClosky, Clyde Foust, Charlie Lyons, Tammy Coley, Dwain Roberts, Eli Harmon, and Maria Foust commented on the council's previous adoption of a resolution pertaining to the confederate statue at the Historic Randolph County Courthouse.

In addition to commenting on issues related to the adoption of the above-referenced resolution, Barry Stutts commented on the ongoing traffic issues within the Dixieland Acres neighborhood.

Carey Durham commented on issues related to the operation of city-owned parks as well as the status of a previously discussed traffic study pertaining to Old Lexington Road and Salisbury Street.

7. Consent Agenda

Prior to calling for a vote on the consent agenda, Mayor Smith noted the request by City Attorney Jeff Sugg to withdraw, in order to allow time for additional staff work, the proposed consent agenda ordinance establishing a 4-hour parking zone on Sunset Avenue between the railroad right-of-way and Church Street. This proposed ordinance was identified on the meeting agenda as item 7(h).

Council Member Burks moved, and Council Member Heath seconded the motion, to approve/adopt, with the exception of the 4-hour parking zone ordinance that was removed from the meeting agenda, the following consent agenda items. Council

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

(a) City Council Meeting Minutes for September 8, 2022

The meeting minutes for the city council's regular meeting on September 8, 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) Scheduling of a Legislative Hearing for November 10, 2022

The council approved a request from the community development division to schedule for November 10, 2022, and to advertise, a legislative hearing on an application to rezone property at 1622 Zoo Parkway (Randolph County Parcel Identification Number 7750955151), on the west side of Zoo Parkway and approximately 200 feet north of Ridge Street, from B2 to I1 zoning.

(c) 2022-2023 Canada Geese (including White-Fronted Geese) and Duck Hunting Season at Lake Reese

Canada Geese (including White-Fronted Geese) and duck hunting has been successfully offered at Lake Reese for the past 14 years and will be offered again this season.

The council approved the following dates for the 2022-2023 hunting season at Lake Reese for Canada Geese (including White-Fronted Geese) and ducks:

November 12th, 14th, and 17th
December 17th, 19th, and 22nd
January 21st, 23rd, and 26th

Hunting hours are ½ hour before sunrise to sunset. The lake will be closed to other activities while hunting takes place. Hunters are required to call Lake Reese at least 24 hours in advance to reserve a space. If hunting reservations are not made, the lake will operate on its regular winter schedule.

(d) Special Event Closure Order – Halloween Downtown

The council approved a special event closure order, including a temporary street closure, for the Halloween Downtown event. The temporary closure order will take effect at 1000 hours on October 29, 2022, and will end at 2200 hours on October 29, 2022. Pursuant to the special event closure order, the Zoo City Social District will not be impacted. A copy of the map with the special event closure order is on file in the city clerk's office.

(e) Special Event Closure Order – Veterans Day Parade

The council approved a special event closure order, including temporary street closures, for the Veterans Day Parade. The temporary closure order will take effect at 1500 hours on November 11, 2022, and will end at 1830 hours on November 11, 2022. Pursuant to the special event closure order, the Zoo City Social District provisions will not be in effect on November 11, 2022. A copy of the map with the special event closure order is on file in the city clerk's office.

(f) Budget Amendments Pertaining to the General Fund and the Zoo City Sportsplex Project

(i) General Fund Amendment – Score Boards at the Zoo City Sportsplex

64 ORD 10-22

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

WHEREAS, the City of Asheboro wishes to purchase two score boards for Fields 1 and 2 at the Zoo City Sportsplex.

WHEREAS, the estimated amount of each scoreboard is expected not to exceed \$18,000.

WHEREAS, as of September 30, 2022, the City has allocated \$50,000 of fund balance in FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of \$36,000 from the General Fund to transfer to the Zoo City Sportsplex fund for this expense.

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

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	\$36,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-620-574.7400	Contribution to Zoo City Sportsplex Fund	\$36,000

Adopted this the 6th day of October 2022.

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

ATTEST:

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

(ii) **Zoo City Sportsplex Fund Amendment – Score
Boards and YMCA Donation for Playground**

65 ORD 10-22

**ORDINANCE TO AMEND THE ZOO CITY SPORTSPLEX FUND
FY 2022-2023**

WHEREAS, the City of Asheboro wishes to purchase two score boards for Fields 1 and 2 at the Zoo City Sportsplex.

WHEREAS, the estimated amount of each scoreboard is expected not to exceed \$18,000.

WHEREAS, the City desires to recognize funding from the General Fund and appropriate for the expense in the Zoo City Sportsplex fund.

WHEREAS, the Randolph Asheboro YMCA has received a \$300K state grant for capital improvements or equipment at the Zoo City Sportsplex and they are wishing to direct its use for a playground at the Zoo City Sportsplex.

WHEREAS, the City desires to recognize funding from the YMCA and appropriate for the expense in the Zoo City Sportsplex fund.

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

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

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>
74-000-370.0000	Contribution from General Fund	36,000
74-000-371.0000	Donations – YMCA	300,000
		<u>\$336,000</u>

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
74-000-400.9005	Miscellaneous Expense- Scoreboards	36,000
74-000-400.9006	Playground	300,000
		<u>\$336,000</u>

Adopted this the 6th day of October 2022.

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

ATTEST:

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

(iii) **General Fund Amendment – George Washington
Carver Community Enrichment Center After
School Program**

66 ORD 10-22

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

WHEREAS, the City of Asheboro contributes to a variety of agencies who provide services that enhance the quality of life of Asheboro Citizens.

WHEREAS, George Washington Carver Community Enrichment Center has requested funding for \$50,000 for an after school program.

WHEREAS, the amount requested to fund this program is \$50,000

WHEREAS, as of September 30, 2022, the City has allocated \$50,000 of fund balance in FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of \$50,000 for this expense.

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

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	\$50,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-620-522.0008	Prof. Services- GWCCEC After school program	\$50,000

Adopted this the 6th day of October 2022.

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

ATTEST:

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

(iv) General Fund Amendment – Vehicle and Equipment Purchase with Installment Financing

67 ORD 10-22

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

WHEREAS, orders for Vehicles and Equipment placed in fiscal year 2021-2022 have been cancelled by the vendors due to supply issues.

WHEREAS, the Facilities Maintenance Department and the Police Department were impacted by these cancellations.

WHEREAS, both departments wish to place order for vehicles in 2022-2023 in to replace the ones that were approved for last year purchase but were cancelled.

WHEREAS, the City of Asheboro would like to be able to use proceeds from financing to pay for these vehicles.

WHEREAS, the cost for the vehicle budgeted in the Engineering Department that is to be financed has increased by \$1,300.

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>
10-000-360.0000	Proceeds from Lease Purchase	\$401,300

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-510-574.0000	Capital Outlay	310,000
10-575-574.0000	Capital Outlay	1,300
10-640-574.0000	Capital Outlay	90,000
		\$401,300

Adopted this the 6th day of October 2022.

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

ATTEST:

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

(v) General Fund Amendment – Library HVAC System

68 ORD 10-22

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

WHEREAS, the Asheboro Library is conditioned with a gas boiler, chiller and six air handling units.

WHEREAS, the system is not fully functioning and is not controlling the humidity adequately for the library.

WHEREAS, the City would like to completely replace the system with a new HVAC type system that will require mechanical and electrical design services.

WHEREAS, the estimated cost of the professional services is \$26,900.

WHEREAS, as of September 30, 2022, the City has allocated \$50,000 of fund balance in FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of \$26,900 for this expense.

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	\$26,900

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-630-522.0000	Professional Services – Library	\$26,900

Adopted this the 6th day of October 2022.

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

ATTEST:

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

(g) An Ordinance Establishing a 4-way Stop at the Intersection of Sherwood Avenue and Lambert Drive

ORDINANCE NUMBER 69 ORD 10-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

ORDINANCE DESIGNATING A STOP INTERSECTION

WHEREAS, Section 160A-296 of the North Carolina General Statutes provides that a city shall have general authority and control over all public streets, sidewalks, alleys, bridges, and other ways of public passage within its corporate limits; and

WHEREAS, Section 70.29(B) of the Code of Asheboro provides, in pertinent part, as follows:

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:

(B) Cause all intersections designated as stop intersections when entered from designated streets to be posted accordingly. He shall then notify the City Clerk, who shall enter the description of such intersections and the streets of . . . (entry) thereto upon which stops are required in schedule 7 of § 72.02 (of the Code of Asheboro); and

WHEREAS, after receiving requests from residents for safety improvements at the intersection of Lambert Drive and Sherwood Avenue, the city engineering department recommended establishing this intersection as a stop intersection; and

WHEREAS, the Asheboro City Council wishes to implement the above-stated recommendation.

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

Section 1. The intersection of Lambert Drive and Sherwood Avenue is hereby declared to be an all-way stop intersection that shall be properly posted to cause all vehicles approaching the intersection from any direction to stop immediately before entering the intersection.

Section 2. The city manager is hereby instructed to cause the proper placement of stop signs at the intersection listed in Section 1 of this Ordinance in order to establish an all-way stop intersection at the intersection of Lambert Drive and Sherwood Avenue.

Section 3. The city clerk shall properly record the actions taken pursuant to this Ordinance in schedule 7 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 to the extent that such ordinances conflict with the intent of the Asheboro City Council to create an all-way stop at the intersection designated herein.

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 October 6, 2022.

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

ATTEST:

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

[As noted above, item 7(h) on the meeting agenda was withdrawn at the request of city staff. The following consent agenda items, while number sequentially in accordance with the item numbers used for these meeting minutes, correspond to the item numbers listed on the meeting agenda as items 7(i), (j), (k), (l), and (m).]

(h) A Resolution Awarding to Charles F. Voncannon His Service Side Arm Upon His Retirement from the Asheboro Police Department

RESOLUTION NUMBER 35 RES 10-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION AWARDING TO CHARLES FOSTER VONCANNON
HIS SERVICE SIDE ARM UPON RETIREMENT FROM THE
ASHEBORO POLICE DEPARTMENT

WHEREAS, after rendering honorable and valuable service to the City of Asheboro and its citizens throughout the course of his Asheboro Police Department career, which began on May 1, 2003, Master Police Officer Charles Foster Voncannon will begin his retirement from employment with the city on November 1, 2022; and

WHEREAS, pursuant to and in accordance with Section 20-187.2 of the North Carolina General Statutes, the Asheboro City Council wishes to recognize and honor Officer Voncannon for his dedicated service to the city by awarding to him, at a minimal monetary cost, the service side arm that he carried at the time of his retirement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, effective November 1, 2022, in consideration of the combination of his dedicated service to the City of Asheboro and the payment to the city of \$1.00, Charles Foster Voncannon is to be awarded ownership of his city-issued service side arm (a Glock model 45 9mm with serial no. BLKC004 and three magazines) upon a determination by the police department command staff that Mr. Voncannon is eligible under the applicable federal and state laws to receive, own, or possess a firearm.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on October 6, 2022.

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

ATTEST:

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

- (i) A Resolution Declaring the Official Intent of the City of Asheboro to Purchase Municipal Vehicles and Equipment and to Reimburse the General Fund with Installment Financing Proceeds

RESOLUTION NUMBER 36 RES 10-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF ASHEBORO TO PURCHASE MUNICIPAL VEHICLES AND EQUIPMENT AND TO REIMBURSE THE GENERAL FUND WITH INSTALLMENT FINANCING PROCEEDS

WHEREAS, in order to maintain a satisfactory level of municipal services, the Asheboro City Council has adopted a budget ordinance for fiscal year 2022-2023 that, as amended, allocates funding for the acquisition of vehicles and equipment deemed essential for maintaining uninterrupted high-quality municipal services; and

WHEREAS, the following appropriations have been made for the acquisition of vehicles and equipment by city departments that receive their funding from the City of Asheboro General Fund (the “General Fund”):

1. \$28,631.00 has been budgeted for vehicle and equipment acquisition by the building inspections department;
2. \$26,300.00 has been budgeted for vehicle and equipment acquisition by the engineering department;
3. \$290,000.00 has been budgeted for vehicle and equipment acquisition by the facilities maintenance department;
4. \$310,000.00 has been budgeted for vehicle and equipment acquisition by the police department;
5. \$105,000.00 has been budgeted for vehicle and equipment acquisition by the recreation services department; and

WHEREAS, the total budgeted amount for the above-described acquisition of vehicles and equipment needed by the listed city departments to deliver essential municipal services is \$759,931.00; and

WHEREAS, Section 160A-20 of the North Carolina General Statutes authorizes the city to finance the purchase of personal property by means of installment financing that creates a security interest in the purchased property; and

WHEREAS, in order to provide uninterrupted high-quality municipal services, the above-referenced vehicles and equipment will be purchased and placed into service as soon as possible with available funds in the General Fund; and

WHEREAS, the Asheboro City Council has decided that the above-stated expenditures are to be reimbursed to the General Fund during the current fiscal year with proceeds from an installment financing agreement that will create security interests in the above-referenced municipal vehicles and equipment acquired by the city during its 2022-2023 fiscal year; and

WHEREAS, more favorable financing terms can be obtained if the city takes the steps necessary to allow the lending institution from which financing is ultimately obtained to exclude the interest paid or payable under an installment financing agreement with the city from the gross income of the lending institution; and

WHEREAS, in accordance with the applicable treasury regulations, one of the steps necessary to avoid jeopardizing the ability of a lender to exclude from its gross income the interest paid or payable under an installment financing agreement is for the city to declare its official intent to reimburse the General Fund for the expenditures used to purchase the needed vehicles and equipment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, consistent with the city's budget ordinance for fiscal year 2022-2023, as amended, and with the explicit intent of seeking reimbursement for the expenditures from installment financing proceeds, a maximum of \$759,931.00 may be expended from the General Fund for the above-described acquisition of municipal vehicles and equipment prior to the execution of any installment financing agreement; and

BE IT FURTHER RESOLVED that the City Council of the City of Asheboro does hereby formally and explicitly declare the official intent of the City of Asheboro to fully reimburse, with loan proceeds from an installment financing agreement that is to be executed prior to the end of the 2022-2023 fiscal year, any and all expenditures from the General Fund during the current fiscal year for the above-referenced vehicle and equipment acquisitions that are necessary to the provision of essential municipal services.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on October 6, 2022.

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

ATTEST:

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

- (j) **An Audit Contract Amendment Reflecting the Merger of William R. Huneycutt, CPA, PLLC with Huneycutt, Parsley, and Taylor, CPAs, PLLC**

The above-referenced amendment reflecting the merger of William R. Huneycutt, CPA, PLLC with Huneycutt, Parsley, and Taylor, CPAs, PLLC was approved by the council. Copies of the executed contract amendment are on file in the finance department and in the city clerk's office.

- (k) A Resolution Stating the Intent of the Asheboro City Council to Lease Hangar Space at the Asheboro Regional Airport to the Civil Air Patrol

RESOLUTION NUMBER 37 RES 10-22

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION STATING THE INTENT OF THE ASHEBORO CITY COUNCIL TO LEASE HANGAR SPACE AT THE ASHEBORO REGIONAL AIRPORT TO THE CIVIL AIR PATROL

WHEREAS, the Civil Air Patrol was incorporated under a Special Act of Congress that was approved on July 1, 1946 (Public Law 476, 79th Congress); and

WHEREAS, in preparation for the expiration of the existing hangar lease agreement at the end of the current calendar year, the Civil Air Patrol has requested the continuation of its lease of hangar space at the Asheboro Regional Airport for another 3-year term at the current rental rate of One Dollar (\$1.00) per year; and

WHEREAS, the hangar space currently leased to the Civil Air Patrol has been continuously used by its Randolph Composite Squadron for a significant number of years; and

WHEREAS, this hangar space will not be needed by the city during the requested term of the lease.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that it intends to approve a lease agreement allowing the continued use of the existing Civil Air Patrol hangar space at the Asheboro Regional Airport for a new 3-year lease term at a rental rate of One Dollar (\$1.00) per year; and

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro that the city clerk is hereby directed to publish in *The Courier Tribune* the statutorily mandated 30-day legal notice of the city council's intent to authorize a new hangar lease agreement with the Civil Air Patrol during the governing board's regular meeting on November 10, 2022.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on October 6, 2022.

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

ATTEST:

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

- (l) Asheboro ABC Board Meeting Minutes for August 29, 2022

The council acknowledged the receipt of the Asheboro ABC Board's approved meeting minutes for August 29, 2022. This document has been filed in the city clerk's office and distributed to the city's elected officials.

8. Legislative Hearing – Case Nos. RZ-22-10 and SUB-22-05

Mayor Smith opened the legislative hearing on a land use application that included a requested zoning map amendment as well as a subdivision sketch design review. The initial witness, Community Development Director Trevor Nuttall, addressed the zoning map amendment application first.

Darren Lucas (the “Applicant”) has submitted an application seeking the modification of the current R10 (CZ) medium-density conditional zoning district in order to develop a residential planned unit development on approximately 9.921 acres of land at 1223 Crestview Church Road. The land that is the subject of the zoning map amendment application (the “Zoning Lot”) is more specifically identified by Randolph County Parcel Identification Number 7669289834.

The Zoning Lot is owned by Falling Oak Investments, LLC. A managing member, John Robbins, of the limited liability company joined the Applicant in executing the application for the requested zoning map amendment.

Community Development Director Trevor Nuttall informed the governing board that the required legal notice of the hearing was mailed, published, and also posted on the Zoning Lot in accordance with the applicable statutes and ordinances. Mr. Nuttall utilized a slide show to present the planning staff’s analysis of the application. This analysis included the following information:

1. The Applicant revised the request following the planning board meeting, which was held on September 6, 2022. The proposal now seeks an R10 (CZ) district to allow 44 attached single-family dwellings on 44 lots. Townhomes are reviewed as planned unit developments under the City of Asheboro Zoning Ordinance. Units shown are single-story, approximately 1,000 square feet in size, and include a one-car garage. Each lot contains space for three vehicles. No additional parking is proposed. Lots would be served by privately maintained streets. Common elements incorporating open space preservation and recreational space are provided. Solid waste disposal would occur via three dumpsters shown to be screened from public street view. Landscaping would be preserved or installed adjacent to Zoo Parkway and Crestview Church Road, along the project’s perimeter, and within the development per the plans provided.
2. The conditional zoning process allows an applicant to propose a project-specific zoning district that establishes approval conditions and site development requirements. The project-specific zoning district is allowed to diverge from the zoning ordinance’s predetermined land use requirements.
3. The property is outside the city limits. The project proposes to connect to city water and sewer. The site plan shows privately maintained sewer and publicly maintained water extended into the property to serve the lots. Connection to city services will require annexation consistent with city policies.
4. Zoo Parkway (NC 159) is a state-maintained major thoroughfare. Crestview Church Road is a state-maintained minor thoroughfare. The US64 Bypass is approximately 0.75 mile from the property. The travel distance to access the bypass is about 1.9 miles.
5. The immediate area primarily consists of low to medium-density single-family residential uses. Institutional uses and multi-family residential uses exist to the south. There is also industrial zoning to the south along Zoo Parkway. The Jellystone Park Campground is approximately 0.3 mile southwest on Crestview Church Road. The Zoo City Sportsplex is approximately 0.3 mile southeast on Zoo Parkway.
6. In 2018, city council rezoned the subject property from R15 to R10 (CZ) and approved a planned unit development with 36 attached single-family townhome lots accessed by new public streets. Units proposed at that time ranged in size between approximately 1,400 and 1,600 square feet and included two-vehicle garages.
7. Conventional subdivisions in the R10 district require a minimum lot size of 10,000 square feet per lot for single-family dwellings or 15,000 square feet per lot for two-family (duplex) dwellings. Under the ordinance, generally the

maximum number of lots permitted is similar for planned unit developments and conventional subdivisions.

8. The R10 district is “intended to provide regulations which will produce a moderate intensity of residential uses, usually single-family or two-family in character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living.”
9. The LDP Proposed Land Use Map (2015) identifies the property as appropriate for Neighborhood Residential development which should include “new neighborhoods of similar density” to the surrounding neighborhoods “to provide a greater sense of community.”
10. The proposed development density is approximately five dwellings per acre when accounting for land area necessary for street right-of-way to serve the lots. In the R10 district, the maximum possible dwelling per acre is 5.8 for a project consisting of duplex dwellings when no land area is necessary for street right-of-way; for single-family projects, the maximum possible density is reduced to 4.3 units per acre.

Mr. Nuttall noted that, when evaluating a rezoning application, careful consideration must be given to each goal and policy as outlined in the Land Development Plan.

Proposed Land Use Map Designation:	Neighborhood Residential
Small Area Plan:	Central
Growth Strategy Map Designation:	Secondary Growth

LDP Goals/Policies Which Support the Request:

<u>Checklist Item 1:</u>	Rezoning is compliant with the Proposed Land Use Map.
<u>Checklist Item 5:</u>	Complies with Growth Strategy Map
<u>Checklist Item 6:</u>	Existing infrastructure is adequate to support the desired zone (<i>water, sewer, roads, schools, etc.</i>).
<u>Checklist Items 12 and 13:</u>	12.) Property is located outside of watershed; and 13.) The property is located outside of Special Hazard Flood Area.

LDP Goals Policies Which Do Not Support the Request:

<u>Checklist Item 3:</u>	The property on which the rezoning district is proposed does not fit the description of the Zoning Ordinance (<i>Article 200, Section 210, Schedule of Statements of Intent</i>).
<u>Checklist Item 10:</u>	Rezoning is not consistent with land category descriptions.
<u>Checklist Item 14:</u>	Rezoning is located on steep slopes of greater than 20%.

As part of the analysis, the city planning staff also offered suggested conditions believed to be necessary to ensure Land Development Plan consistency and general conformity with city codes.

Suggested Conditions from Planning Staff:

- (A) The use approved shall be a residential planned unit development with a total of 44 dwelling units on 44 lots.
- (B) All parties involved in this request, including the owner, and the owner's heirs, successors, and assigns, must agree to the conditions and approved site plan.
- (C) The enclosure of concrete pads or other additions to the rear of dwellings shall not be considered a modification requiring city council review so long as such additions are located on a recorded lot.
- (D) Maintenance of all recreation areas and any utilities not publicly maintained as well as any roads and drainage facilities that are not specifically labeled on the approved site plan as publicly owned and maintained shall be the responsibility of the property owner and any successors in interest.
- (E) Any water meter located outside the public right-of-way shall be located within a City of Asheboro waterline easement. Surveying of any required city easements shall be the responsibility of the property owner.
- (F) Installation of traffic and street signs within the development shall be the responsibility of the developer.
- (G) If solid waste disposal facilities as shown on the site plan are deemed to be inadequate, the property owner shall be responsible for ensuring that additional facilities or measures are installed. Any such facilities shall be consistent with city policies and codes.
- (H) Landscaping, inclusive of street trees, front yard landscaping, and perimeter buffering, shall be installed consistent with the details and specifications shown on the site plan.
- (I) Prior to the issuance of a zoning compliance permit for the proposed land use, the Applicant shall submit documentation detailing the following approvals:
 - (i) Driveway permit from the North Carolina Department of Transportation; and
 - (ii) Permitting from the North Carolina Department of Environmental Quality.
- (J) Prior to the issuance of a zoning compliance permit, plans concerning water, including provisions for fire hydrants, and sanitary sewage that complies with city policies shall be submitted. Surveying of any required city easements shall be the responsibility of the property owner.
- (K) Prior to the issuance of a zoning compliance permit, the applicant shall submit a site plan reflecting any revisions necessary to comply with city codes and conditions of approval.
- (L) All dwellings shall be located on a subdivided lot that has been recorded in the public registry in accordance with the city's land development requirements.
- (M) 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 conditional zoning in the chain of title for the Zoning Lot.

The city planning staff provided the following analysis of the consistency of the proposed development with the adopted comprehensive plans as well as the reasonableness of the proposal.

Since original adoption of the Land Development Plan (LDP) in 2000, this area has seen significant change. Construction and opening of the US 64 Bypass and Zoo Connector, the building of Zoo City Sportsplex, development of the Jellystone Park Campground, continued growth of the Crossroads Retirement Community, and other investments have altered the landscape.

The LDP's "Neighborhood Residential" designation encourages new residential development to be comparable in density to surrounding neighborhoods. The rezoning requested proposes a project density higher than the immediate surrounding area, but the density is comparable to the Parkway South townhome development and, to a lesser extent, the Cross Road Retirement community. Staff believes that the reduction in proposed project density from the initial application is important in order for the district to more closely resemble development outcomes envisioned by the LDP. In addition, the housing proposed offers an important option to have in the community, and the inclusion of sidewalks and open space preservation advances other LDP objectives.

In response to Mayor Smith inviting comments from the public, Robert Wilhoit, Esq., H.R. Gallimore, and Darren Lucas presented comments in support of the application. Mickey Fields, Kenny Bradford, Charles Lewis, JJ Johnson, Dan Milano, and Donny Wright presented concerns about the potentially adverse consequences of approving the Applicant's request, such as the potential increase in traffic and the associated hazards at the intersection of Zoo Parkway and Crestview Church Road if this project is developed as proposed by the Applicant.

Additionally, Mayor Smith read a letter from Jonathan Bullington who resides at 810 Rockcliff Terrace. Mr. Bullington's letter expressed concerns relating to the proposed development. No other comments were offered from the public, and Mayor Smith then transitioned to the deliberative phase of the process.

After engaging in deliberations about the zoning map amendment application, Council Member Moffitt moved, and Council Member Bell seconded the motion, to adopt the plan consistency statement printed below and to approve the requested rezoning with the following two-part motion.

1. Since the time of the initial adoption of the Land Development Plan in 2000, the area around the Zoning Lot has seen significant change. The opening of the US 64 Bypass and Zoo Connector, the building of the Zoo City Sportsplex, the development of the Jellystone Park Campground, and the continued growth of the Crossroads Retirement Community have altered the landscape.

The LDP's Neighborhood Residential designation encourages new residential development to be comparable in density to surrounding neighborhoods. The proposed project has a density that is comparable to the Parkway South townhome development and to a lesser extent the Cross Road Retirement Community. While the city council takes note of the planning board's negative recommendation, the council believes that the Applicant's subsequent reduction in the project's proposed density from the initial application is important and enables the requested district to more closely resemble development outcomes envisioned by the LDP.

For all of the above-stated reasons, the council finds that the requested rezoning is compliant with the city's adopted comprehensive plans. Most specifically, the application is compliant with the Proposed Land

Use Map and the Growth Strategy Map. Furthermore, the proposal is reasonable and in the public interest. The existing infrastructure is adequate to support the desired conditional zoning district (*water, sewer, roads, schools, etc.*).

2. In light of the above-stated analysis, the above-described zoning map amendment application for the development of a residential planned unit development on the Zoning Lot is approved; provided, however, this approval is conditioned upon the Applicant accepting and agreeing to the above-printed conditions recommended by the city planning staff for attachment to the approved conditional zoning ordinance.

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

In light of the above-described approval of the requested conditional zoning ordinance, the Council evaluated the staff's analysis of the subdivision sketch design submitted by the Applicant. The proposed subdivision, which has been named Zoocrest Townhomes, consists of approximately 44 lots plus common area. The average lot size is 1,256 square feet.

While the Applicant is proposing a total of 44 dwelling units on 44 lots, the units are attached single-family units. There are a total of 22 structures. One entrance from Crestview Church Road is proposed to serve the development. All driveways access internal private streets.

As proposed, the homeowners' association will be responsible for maintaining all streets within the development, trash pickup, and sewer service. A public water line, which is to be maintained by the City of Asheboro, is proposed.

The planning staff and planning board recommended approval of the sketch design for the subdivision based on the following comments and conditions:

1. The city's public works division recommends having an additional dumpster, and an additional street light closer to Crestview Church Road. Engineered drawings will need to be reviewed on the proposed water system with the preliminary plat, along with detail on hydrant locations and water line sizes.
2. Homeowners documents are required to be recorded with the final plat, which must include maintenance mechanisms for the common area and restrictions concerning recreational vehicle (RV) parking.
3. A final subdivision plat must be recorded prior to the issuance of a certificate of occupancy(s).
4. Since the initial proposal, the applicant has added a sidewalk to extend to the recreation area and right-of-way of Crestview Church Road. Details, including surfacing material and width of the walkway serving the recreation area, will need to be provided.
5. The plan was routed to the North Carolina Department of Transportation ("NCDOT"), Randolph County Schools, and the United States Postal Service ("USPS"). USPS confirmed the need for one community mailbox. NCDOT indicated driveway permitting is required, but the agency is not anticipating requiring roadway improvements.
6. Hydrant locations will need to be shown on the Preliminary Plat and approved by the Asheboro Fire Department.
7. Building Inspections indicated they will need to review engineered drawings and plans on the proposed private sewer prior to building permitting. If rock is encountered, revised engineering and as-built plans may be required.

8. Water Resources indicated that private sewer will be acceptable as long as it is built in compliance with the state plumbing code. Sealed/certified engineering plans to confirm the appropriate size lines and connection will be required by the city. If an 8-inch line is required, the city will require an 8-inch sewer main extension across Zoo Parkway with a manhole at the property line. City maintenance will end at the manhole.

Based on the above-stated analysis, Council Member Moffitt moved, and Council Member Heath seconded the motion, to approve, with and subject to the above-stated comments from the reviewing entities, the sketch design for the Zoocrest Townhomes Subdivision. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

9. Project Updates and Requests

(a) Frazier Park Improvements and Usage

Mr. Ogburn updated the council on the improvements that are underway at Frazier Park. Some of the improvements include, but are not limited to, a new roof installed on the picnic shelter and the restrooms, renovations to the restroom facilities, and playground repairs.

(b) I73/I74 Corridor Place Making and Branding Project

In furtherance of the referenced corridor place making and branding project, Mr. Ogburn requested authorization to proceed with finalizing an agreement for the services of design professionals. A standard abbreviated form of agreement is proposed for use between the City of Asheboro (Owner) and JDavis Architects, PC (Architect) for this project.

There were no objections to this proposal. With the general consent of the council, the city manager will proceed with procuring the described professional design services.

(c) Budget Amendments – I73/I74 Corridor Place Making and Branding Project

In light of the immediately preceding authorization, Finance Director Deborah Reaves presented and recommended adoption, by reference, of an amendment to the general fund for fiscal year 2022-2023. Council Member Heath moved, and Council Member Burks seconded the motion, to adopt the following ordinance to amend the General Fund. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

70 ORD 10-22

ORDINANCE TO AMEND THE GENERAL FUND FY 2022-2023

WHEREAS, the City of Asheboro continues to look for ways to support promote Asheboro and the surrounding businesses, and;

WHEREAS, NCDOT started building a 14.4 mile highway interchange between I-73 and I-74 and US HWY 64 Asheboro in June 2015 and the segment was opened on December 18, 2020, and;

WHEREAS, the City recognizes a branding opportunity to the City of Asheboro, the NC Zoo and the region by establishing unique, creative and implementable designs at six highway interchanges of the I-73/I-74 corridor that will leverage the economic synergies between the City of Asheboro and the NC Zoo, and;

WHEREAS, the City appropriated \$185,000 for Phase 1 of this project on March 4, 2021.

WHEREAS, the City desires to allocate funding and appropriate for the expense in the Economic and Tourism Development fund for the next phase of this project.

WHEREAS, the compensation to the Architect for Basic Services of this phase is \$145,000.

WHEREAS, as of September 30, 2022, the City has allocated \$50,000 of fund balance in FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of \$145,000 from the General Fund to transfer to the Economic Development fund for this expense.

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

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	\$145,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-490-572.0000	Contribution to Economic Development Fund	\$145,000

Adopted this the 6th day of October 2022.

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

ATTEST:

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

As a companion recommendation to her immediately preceding request to amend the General Fund, Ms. Reaves presented and recommended the adoption, by reference, of an ordinance to amend the Economic & Tourism Development Fund in furtherance of the stated place making and branding project. In response, Council Member Bell moved, and Council Member Burks seconded the motion, to approve the following ordinance to amend the Economic & Tourism Development Fund. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

71 ORD 10-22

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

WHEREAS, the City of Asheboro continues to look for ways to support promote Asheboro and the surrounding businesses, and;

WHEREAS, NCDOT started building a 14.4 mile highway interchange between I-73 and I-74 and US HWY 64 Asheboro in June 2015 and the segment was opened on December 18, 2020, and;

WHEREAS, the City recognizes a branding opportunity to the City of Asheboro, the NC Zoo and the region by establishing unique, creative and implementable designs at six highway interchanges of the I-73/I-74 corridor that will leverage the economic synergies between the City of Asheboro and the NC Zoo, and;

WHEREAS, the City appropriated \$185,000 for Phase 1 of this project on March 4, 2021.

WHEREAS, the City desires to recognize funding and appropriate for the expense in the Economic and Tourism Development fund for the next phase of this project.

WHEREAS, the compensation to the Architect for Basic Services of this phase is \$145,000.

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

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>
72-000-371.0012	Allocation for Branding on HWY 64 bypass- Phase 2	\$145,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
72-000-800.9004	Branding on HWY 64 bypass- Phase 2	\$145,000

Adopted this the 6th day of October 2022.

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

ATTEST:

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

(d) Bicentennial Park

In order to enhance the utilization of Bicentennial Park, Mr. Ogburn requested authorization to proceed with procuring the professional services needed to conduct a design study of Bicentennial Park. The staff recommendation was to utilize the services of Freeman Kennett Architects, PLLC.

There were no objections to this proposal. With the general consent of the council, the city manager will proceed with procuring the described professional design services.

(e) Budget Amendment – Bicentennial Park

In order to properly account for the procurement of services authorized in the immediately preceding agenda item, Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the General Fund. Council Member Burks moved, and Council Member Bell seconded the motion, to adopt the following ordinance by reference. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Redding voted aye. There were no dissenting votes.

72 ORD 10-22

ORDINANCE TO AMEND THE GENERAL FUND
FY 2022-2023

WHEREAS, Bicentennial Park in Downtown Asheboro is a dynamic space for a variety of social and recreation activities.

WHEREAS, the City of Asheboro wishes to enlist the professional services of Freeman Kennett Architects, PLLC for concept design study of Bicentennial Park to come up with ideas of how to enhance the experiences of citizens who use Bicentennial Park.

WHEREAS, as of September 30, 2022, the City has allocated \$50,000 of fund balance in FY 2022-2023.

WHEREAS, the compensation to Freeman Kennett Architects PLLC for the “concept phase” only of the study is \$12,960.

WHEREAS, the City wishes to allocate fund balance in the amount of \$12,960 for this expense.

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

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	\$12,960

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-620-522.0000	Professional Services	\$12,960

Adopted this the 6th day of October 2022.

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

ATTEST:

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

(f) Strategic Management Assistance

Mr. Ogburn discussed the need to obtain strategic management assistance for water line and wastewater service extensions that are currently under review. The city has an existing relationship with the Piedmont Triad Regional Council (“PTRC”) for these types of services.

Due to demonstrated competence in this field, the city manager requested authorization to procure a revised agreement with the PTRC for the needed strategic management assistance. There were no objections to this proposal. With the general

consent of the council, the city manager will proceed with procuring the described professional services.

(g) Budget Amendment – Strategic Management Assistance

In order to properly account for the procurement of services authorized in the immediately preceding agenda item, Ms. Reaves presented and recommended adoption, by reference, of an ordinance to amend the Water and Sewer Fund. 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, and Redding voted aye. There were no dissenting votes.

73 ORD 10-22

**ORDINANCE TO AMEND THE WATER & SEWER FUND
FY 2022-2023**

WHEREAS, the City of Asheboro has production and treatment capacity at both the Water Treatment Plant and the Sewer Treatment Plant.

WHEREAS, the City of Asheboro would like to enlist the Piedmont Triad Regional Council (PTRC) to assist with strategic management assistance related water line extension and wastewater services.

WHEREAS, the proposed cost of the scope of work requested is \$18,750.

WHEREAS, as of September 30, 2022, the City has not allocated any retained earnings for FY 2022-2023.

WHEREAS, the City wishes to allocate fund balance in the amount of \$18,875 for this expense.

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

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>
30-000-399.0000	Fund Balance Allocation	\$18,750

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
30-820-522.0000	Professional Services	9,375
30-830-522.0000	Professional Services	9,375
		<u>\$18,750</u>

Adopted this the 6th day of October 2022.

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

ATTEST:

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

10. 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 segment of the meeting.

There being no further business, the meeting was adjourned at 9:58 p.m.

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

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