

**REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, ASHEBORO CITY HALL
THURSDAY, APRIL 6, 2023
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
Brad A. Dalke, Safety Manager
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
Eddie L. Garner, Chief Building Inspector
Steven B. Hackett, Deputy Finance Director
P. Douglas Kemp, Human Resources Director
Mark T. Lineberry, Chief of Police
Trevor L. Nuttall, Community Development Director
Deborah P. Reaves, Finance Director
Michael D. Rhoney, PE, Water Resources Director
Jeffrey C. Sugg, City Attorney
Kristen P. Terry, Human Resources Generalist

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. Public Comment Period

Mayor Smith opened the floor for public comments, and none were offered.

Mayor Smith closed the public comment period.

4. Consent Agenda

Council Member Burks moved, and Council Member Heath seconded the motion, to approve/adopt the following consent agenda items. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

(A) City Council Meeting Minutes for February 24, 2023

The meeting minutes for the city council's special meeting on February 24, 2023, 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 March 9, 2023

The meeting minutes for the city council's regular meeting on March 9, 2023, 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 Minutes for February 6, 2023

The council acknowledged the receipt of the Asheboro ABC Board's approved meeting minutes for February 6, 2023. This document has been filed in the city clerk's office and distributed to the city's elected officials.

(D) Acknowledgement of the Receipt of a Report Detailing Major Subdivisions Administratively Approved Since March 9, 2023.

There have been none approved.

(E) A Resolution Accepting the Dedication to the Public of Streets Within the Parkway South Townhomes Subdivision

RESOLUTION NUMBER 8 RES 4-23

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION ACCEPTING THE DEDICATION MADE TO THE PUBLIC OF STREETS WITHIN THE PARKWAY SOUTH TOWNHOMES SUBDIVISION

WHEREAS, when lands or facilities/infrastructure are located within the planning and development regulation jurisdiction of the city, Section 160D-806 of the North Carolina General Statutes authorizes the city's governing board to accept by resolution dedications made to the public of such lands or facilities/infrastructure; and

WHEREAS, consistent with a zoning map amendment application identified by file number RZ-22-06, which was approved by the Asheboro City Council on July 14, 2022, a subdivision plat showing the dedication of public right-of-way for streets within the Parkway South Townhomes Subdivision has been submitted for review in accordance with the applicable subdivision regulations; and

WHEREAS, city review officers have found the plat with the offer of dedication of land and infrastructure for public right-of-way to be in compliance with the Subdivision Ordinance of the City of Asheboro, North Carolina; and

WHEREAS, the Asheboro City Council finds that the public health, safety, and welfare of the citizens of the City of Asheboro will be advanced by accepting the dedication made to the public as shown on the subdivision plat described herein.

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

Section 1. The City of Asheboro hereby accepts the dedication made to the public of the lands or facilities/infrastructure for streets, specifically Easy Street and Parkway South Street, as shown on the subdivision plat titled "Right of Way Dedication For: Triangle Park Associates" that was drawn under the supervision of Dan W. Tanner, II, Professional Land Surveyor with License Number L-4787. The referenced plat of survey is identified as

Job # 13548 and is recorded in the Office of the Randolph County Register of Deeds in Plat Book 180, Page 41.

Section 2. The acceptance of the dedications specified herein shall be effective upon adoption of this Resolution.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 6th day of April, 2023.

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

ATTEST:

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

(F) Acknowledgement of the Receipt and Acceptance of the List Provided by the Recreation Services Director with the 2023 Downtown Farmers' Market Operational Days, Including Special Events

Consistent with the City of Asheboro Cultural and Recreation Services Policy Manual, Recreation Services Director Jonathan Sermon submitted for the governing board's review, written notification of the operational hours for the Downtown Farmers' Market during the upcoming season. The written notification provided by the recreation services director is on file in the city clerk's office and may also be obtained by directly contacting the city's cultural and recreation services department.

With the adoption of the consent agenda, the council acknowledged receiving the Downtown Farmers' Market schedule for 2023. No alterations in the proposed operational schedule were requested by the governing board.

(G) Acknowledgement of the Receipt and Acceptance of the List of Operational Hours Proposed by the Recreation Services Director for the City-Owned Pools During the 2023 Season

Consistent with the City of Asheboro Cultural and Recreation Services Policy Manual, Recreation Services Director Jonathan Sermon submitted for the governing board's review, written notification of the operational hours for the city-owned pool facilities during the upcoming season. The written notification provided by the recreation services director is on file in the city clerk's office and may also be obtained by directly contacting the city's cultural and recreation services department.

With the adoption of the consent agenda, the council acknowledged receiving the city-owned pool facilities schedule for 2023. No alterations in the proposed operational schedule were requested by the governing board.

(H) Approval of Ordinances Prepared by the Finance Department

(i) Ordinance to Amend the General Fund to Account for a Change in Pricing for Golf Carts

19 ORD 4-23

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

WHEREAS, the City of Asheboro appropriated \$59,460 to purchase golf carts in the 2022-2023 adopted budget based on estimates obtained at that time.

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WHEREAS, the current cost of the same number of carts is now \$129,307 less a \$50,000 credit being given back to the City of Asheboro in the form of direct payment.

WHEREAS, the additional funding needed for the purchase of the approved golf carts is \$19,847.

WHEREAS, the City of Asheboro desires amend the 2022-2023 General 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>
10-000-336.0002	Sale of Fixed Assets	50,000
10-000-399.0000	Fund Balance Appropriated	19,847
		<u>69,847</u>

That the following expense line items be decreased / increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-625-574.0000	Capital Outlay	69,847

Adopted this the 6th day of April 2023.

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

ATTEST:

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

(ii) **Ordinance to Amend the General Fund for Fire Department Salaries and Benefits**

20 ORD 4-23

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

WHEREAS, the City of Asheboro has implemented various incentives for employees in the public safety departments to assist with recruitment and retention.

WHEREAS, the City of Asheboro authorized the implementation of a Fire Fighter Trainee Program and successfully hired seven recruits in this program after the adoption of the 2022-2023 budget.

WHEREAS, as a result of the trainee program and incentives, the Asheboro Fire and Rescue Department now meets the National Fire Protection Association 1710 staffing guidelines of that each engine company (fire truck) be staffed with at least four fire fighters to execute the various functions to manage a house fire effectively, efficiently and safely, i.e. command, rescue, suppression, ventilation and water supply.

WHEREAS, this staffing level has allowed the Asheboro Fire and Rescue Department to maintain effective response times and provide the ability to place sufficient personnel on the fire scene which in turn saves the community in property loss and has allowed fire fighters

to train and obtain certifications (Heavy Rescue, Confined Space Rescue and High Angle Rescue) that benefit the community and our fellow employees who work in trenches and confined spaces daily.

WHEREAS, current staffing levels, allowing a sufficient number of fire fighters placed on any given incident, has played a significant role in Asheboro Fire and Rescue department obtaining an ISO Rating of 1 which benefits the community concerning lowering insurance premiums, specifically commercial structures, and could be a factor in attracting new industries to the community in the future.

WHEREAS, the City of Asheboro desires to amend the 2022-2023 budget as required by law 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	Fund Balance Appropriated	765,600

Section 2: The following expense line item be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-530-502.0000	Salaries and Wages	699,000
10-530-502.0004	Salaries and Wages Incentive	40,200
10-530-507.0002	Fringe- FICA	47,200
10-530-507.0005	Fringe- Retirement	79,200
10-530-515.0000	Maintenance & Repair Bldg.	(100,000)
	Total	765,000

Adopted this the 6th day of April 2023.

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

ATTEST:

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

(iii) Ordinance to Amend and Close the ARPA Fund

21 ORD 4-23

**ORDINANCE TO AMEND AND CLOSE
AMERICAN RESCUE PLAN ACT 2021 FUND
FY 2022-2023**

WHEREAS, The American Rescue Plan Act 2021 fund was established June 10th, 2021

WHEREAS, the total allocation received by the City of Asheboro is \$8,267,011.69 and all these funds (ARPA funds) are currently unallocated.

WHEREAS, ARPA funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;

- 2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
- 3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
- 4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
- 5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

WHEREAS, the City of Asheboro has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

WHEREAS, the City of Asheboro has spent \$3,534,800 in the areas of salaries in the police department budget during the period of July 1, 2022 to February 28, 2023

WHEREAS, the City of Asheboro has spent \$1,542,020 in the area of benefits in the Police Department during the period of July 1, 2022 and February 28, 2023.

WHEREAS, the City of Asheboro has spent \$2,690,651 in the areas of salaries in the Fire department budget during the period of July 1, 2022 to February 28, 2023

WHEREAS, the City of Asheboro has spent \$8,691,155 total in the area of salaries and benefits in the Police and Fire Department during the period of July 1, 2022 and February 28, 2023.

WHEREAS, this amount is greater than the ARPA allocated funds of \$8,267,011.69

WHEREAS, the following amounts are appropriate for the project and authorized for expenditure:

Project Description	Expenditure Category (EC)	Cost Object	Appropriation of ARP/CSLFRF Funds
Law Enforcement Services for period of July 1, 2022 through February 31, 2023	6.1	Salaries	3,534,800
		Benefits	1,542,020
Fire Protection Services for period of July 1, 2022 through February 31, 2023	6.1	Salaries	2,266,509
		Benefits	923,683
TOTAL			8,267,012

WHEREAS the City of Asheboro adopted the following policies as they related to the ARPA/CSLFRF Award in July and August 2022: Conflict of Interest Policy, Uniform Guidance Allowable Costs and Cost Principles Policy, Eligibility Determination Policy, Records Retention Policy and Civil Rights Compliance Policy.

WHEREAS, the Finance Director is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the City’s Uniform Guidance Allowable Costs and Cost Principles Policy.

Whereas, with the adoption of this ordinance, all ARPA funds are obligated and expended by the City of Asheboro.

Whereas, the interest earned on the ARPA funds is \$197,200.21.

Whereas, the interest income needs to be recognized in the ARPA fund but does not need to be spent on ARPA eligible expenses but be transferred into the General Fund

Whereas, with there being no more activity for the ARPA fund, this project fund is now closed.

WHEREAS, the City Council of the City of Asheboro desires to amend the budget as required by law to adjust for changes in expenditures in comparison to the current fiscal year 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 revenues be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
64-000-300.0000-64	APPA Funds	\$2
64-000-300.0100-64	Interest earned on investment	<u>197,200</u>

That the following Expense line item be increased / decreased:

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
64-000-800.9000-64	Unallocated ARPA Funds	(8,267,010)
64-000-800.9001-64	Contribution to GF- ARPA funds	8,267,012
64-000-800.9001-64	Contribution to GF- Interest	<u>197,200</u>
		197,202

Adopted this the 6th day of April 2023.

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

ATTEST:

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

(iv) Ordinance to Amend the General Fund Allocating Funding for the Sound System at the McCrary Ballpark

22 ORD 4-23

WHEREAS, the City of Asheboro has been investigating options for a new sound system at McCrary Ballpark in anticipation of grandstand completion.

WHEREAS, the City of Asheboro expects installation of the new sound system to take place May 2023.

WHEREAS, the City of Asheboro estimates, based on quotes received, that approximately of \$100,000 will be needed for the system.

WHEREAS, the City of Asheboro desires to appropriate \$100,000 from the General Fund Balance for this purpose.

WHEREAS, the City of Asheboro desires amend the 2022-2023 General Fund operating 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	100,000

That the following expense line items be increased:

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

Adopted this the 6th day of April 2023.

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

ATTEST:

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

(v) Ordinance to Amend the McCrary Ballpark Fund

23 ORD 4-23

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

WHEREAS, The City of Asheboro is appropriating \$100,000 in General Fund balance to be transferred to the McCrary Ball park improvements fund for the sound system at McCrary Ballpark.

WHEREAS, the City of Asheboro desires amend the 2022-2023 McCrary Ballpark 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:

Section 1: The following revenue line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
65-000-300.0001-65	Contribution from General Fund	100,000

Section 2: The following expense line item be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
65-000-407.0000-65	Sound System	100,000

Adopted this the 6th day of April 2023.

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

ATTEST:

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

(I) Approval of the Temporary Street Closure on April 29, 2023 from 9:30 AM to 4:00 PM, of South Cox Street (SR 2327) from East Academy Street to Worth Street for the David and Pauline Jarrell Center City Garden Ceremonial Groundbreaking and Work Day Jamboree Event

The council approved the temporary street closure order for the special event. A copy of the map is on file in the city clerk's office.

5. Legislative Hearing for Case No. RZ-23-03: An application to rezone property on US Highway 64 East, between 2307 US Highway 64 East and 2333 US Highway (Randolph County Parcel Identification Number 7771152373) from R40 Low-Density Residential to B2 General Commercial

Mayor Smith opened the legislative hearing on the application to rezone land located along US Highway 64 East from R40 Low-Density Residential to B2 General Commercial zoning.

Community Development Director Trevor Nuttall presented a written request from H.R. Gallimore, on behalf of Applicant Phillip Ragsdale, to continue the rezoning process to the council's regular May meeting.

Council Member Bell moved, and Council Member Swiers seconded the motion to continue the above-referenced rezoning to the council's regular May meeting. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

6. An Update on the Programs Offered by Keaton's Place and the Upcoming Events for May 2023, which is Mental Health Month

Ms. Susan Hunt reported on the programs offered by Keaton's Place. Certain programs include, but are not limited to, Alcoholics Anonymous and Narcotics Anonymous. Additionally, Ms. Hunt reminded the council members and those in attendance that May is Mental Health Awareness month.

No formal action was taken by the council during this portion of the meeting.

7. Presentation to the City of Asheboro Human Resources Department

Mayor Smith presented a plaque to members of the City of Asheboro's Human Resources Department in recognition of an award for Organizational Leadership and Development. The award was sponsored by the NC Chapter of the International Public Management Association-Human Resources.

No formal action was taken by the council during this portion of the meeting.

8. Report on the North Carolina Department of Labor Safety Awards for 2022

Safety Manager Brad Dalke reported the North Carolina Department of Labor presented safety awards to ten (10) city departments for 2022 calendar year.

No formal action was taken by the council during this portion of the meeting.

9. Discussion of the Results of the Requests for Proposals for Audit Services

Deputy Finance Director Steven Hackett reported that the city's finance department submitted requests for proposals for audit services. On March 13, six audit firms responded. Of the six (6) firms that responded, Thompson, Price, Scott, Adams & Co., CPA was the responsible, responsive bidder. The finance department recommended Thompson, Price, Scott, Adams & Co., CPA for the audit for the year ending 2023, 2024, and 2025.

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

10. FY 2023-2024 Budget Request from Downtown Asheboro, Inc.

Prior to the consideration of agenda item number 10, Council Member Bell moved, and Council Member Redding seconded the motion to excuse Mayor Smith and Council Member Heath from discussion and voting in regards to item number 10 and item number 12(A). Council Member Bell, Burks, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

Mayor Pro Tem Moffitt led a discussion regarding budget requests from Downtown Asheboro, Inc. Executive Director Addie Corder requested funding in the amount of \$550,000.00 that would be used to support the city's Trade Street Project by purchasing property located at 105 Fayetteville Street (Randolph County Parcel Identification Numbers 7751821859 and 7751821963) for additional parking space as well as sanitation and electrical system support space. The funding would be appropriated in the city's next fiscal year budget.

No formal action was taken by the council during this portion of the meeting.

11. Update on City Staff's Plan to Begin Outlining a Framework with Downtown Asheboro, Inc. for the Potential Conveyance of the North Mill Property for Historic Preservation Purposes under the North Carolina General Statutes (Agenda Item 12(A))

Mayor Pro Tem Moffitt and Community Development Director Trevor Nuttall initiated a discussion among the council members of the potential conveyance of the North Mill (Acme McCrary) property to Downtown Asheboro, Inc. During some discussion, Mr. Nuttall informed the council members that the city would potentially partner with the UNC School of Government for pre-development services for the property and presented a proposal for said services.

A consensus of the council emerged for city staff to coordinate with the UNC School of Government along with the collaboration of Downtown Asheboro Inc. in order to provide pre-development services for the property. Once more information is available, city staff will update the council.

No formal action was taken by the council during this portion of the meeting.

12. Presentation of Annual Reports (Agenda Item 11)

(A) Police Department Annual Report

Police Chief Mark Lineberry presented and overview of the Asheboro Police Department's activities during 2022. During his presentation, Chief Lineberry noted there were a total of 27,878 calls for service.

No council action was requested under this agenda item, and none was taken. A copy of the police department's annual report is on file in the city clerk's office.

(B) Inspections Department Annual Report

Chief Building Inspector Eddie Garner presented an overview of the building inspections department's activities during 2022. The department's report reflected the issuance of a total of 1,333 permits with a total of \$256,135.85 in revenue.

A copy of the annual report is on file in the city clerk's office. No formal action was asked of the council during this portion of the meeting, and none was taken.

13. Community Development Items (Agenda Item 12)

(A) Update on City Staff's Plan to Begin Outlining a Framework with Downtown Asheboro, Inc. for the Potential Conveyance of the North Street Mill Property for Historic Preservation Purposes Under the North Carolina General Statutes

This item was addressed as item 11 as referenced above.

(B) Consideration of Change Order No. 1 in the Amount of \$74,000 to add North Street (between Trade Street and Sunset Avenue) to the Wooten Company's Engineering Services Contract Related to the Proposed Trade Street Renovations

Mr. Nuttall presented amendment No. 1 to the Engineering Services Contract between the City of Asheboro and The Wooten Company for Trade Street Renovations dated December 13, 2022. This amendment would add the area of North Street (from Trade Street to Sunset Avenue) as part of the original scope of services. The additional fee for this amendment is \$74,000.00.

Council Member Moffitt moved, and Council Member Burks seconded the motion to approve the above-referenced amendment No. 1 to the Engineering Services Contract related to the proposed Trade Street Renovations. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

(C) Consideration of Change Order No. 1 in the Amount of \$3,436 for Additional Design Services by Prospect Landscape Architecture, PLLC Related to the Development of the David and Pauline Jarrell Center City Garden Project

Mr. Nuttall presented Change Order No. 1 in the amount of \$3,436.00 for additional design services by Prospect Landscape Architecture, PLLC related to the development of the David and Pauline Jarrell Center City Garden Project.

Council Member Heath moved, and Council Member Bell seconded the motion to approve the above-referenced change order. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

14. Finance Items (Agenda Item 13)

(A) An Ordinance to Amend the State Capital and Infrastructure Fund

Finance Director Debbie Reaves presented and recommended adoption, by reference, of the aforementioned ordinance.

Council Member Bell moved, and Council Member Swiers seconded the motion to approve/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
STATE CAPITAL INFRASTRUCTURE GRANT FUND
FY 2022-2023**

WHEREAS, On January 4, 2022, the NC Office of State Budget and Management (OSBM) notified the City of Asheboro had been appropriated 4 State Capital Infrastructure Fund (SCIF) Directed Grants.

WHEREAS, the City of Asheboro received one grant in the amount of \$1,500,000 for repairs and renovations of downtown facilities.

WHEREAS, on May 4, 2022, the City of Asheboro’s scope of work and grant agreement assigning the purpose of these funds to be for the trade street renovation project.

WHEREAS, on May 5, 2022, the City of Asheboro set up a Special Revenue Fund to account for the funding and the expenses (as unassigned) related to this grant.

WHEREAS, the contract for design services for the project was awarded to The Wooten Company in December 2022 for an amount not to exceed \$235,000.

WHEREAS, the City of Asheboro has requested to expand the description of work in the Wooten Company contract to include the addition of North Street (from Trade Street to Sunset) as part of the project scope.

WHEREAS, the cost of this change order (change order #1) is \$74,000.

WHEREAS, with the approval of change order #1, the total contract with The Wooten Company is \$309,000.

WHEREAS, the City of Asheboro would like to set up a unique expense line item for engineering services in the project fund to account for the Wooten Company contract.

WHEREAS, the City of Asheboro desires amend the State Capital Infrastructure Grant Fund 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 expense line items be decreased / increased:

<u>Line Item</u>	<u>Description</u>	<u>(Decrease)</u> <u>Increase</u>
67-700-500.0000-67	Downtown Facilities – Unassigned	(309,000)
67-700-500.0001-67	Downtown Facilities - Engineering	309,000
	Net Change	<u>0</u>

Adopted this the 6th day of April 2023.

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

ATTEST:

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

(B) An Ordinance to Amend the General Fund for Contribution to David and Pauline Jarrell Center City Garden Fund

Ms. Reaves presented and recommended adoption, by reference, of the aforementioned ordinance.

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

25 ORD 4-23

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

WHEREAS, In February 2021, the City Council of the City of Asheboro authorized the execution of the contract with Prospect Landscape Architecture for programming, conceptual design, master planning and construction drawings for the David and Pauline Jarrell Center City Garden.

WHEREAS, the original proposal was for \$107,000.

WHEREAS, additional services were requested such as revisions to the Master Plan since final submittal in late 2021, including language and illustrations related to the visitor’s center and cost estimate updates.

WHEREAS, one additional public meeting and additional meetings with PTRC and the City were held to determine next steps and funding (including grant discussions, timeline, creek cleanup coordination and archaeology discussions.

WHEREAS, these changes required an additional 30 house of work and reimbursable expenses including printing and hotel.

WHEREAS, a contribution of \$3,436 from the General Fund is needed to cover these changes

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>Amount</u>
10-000-399.0000	Fund Balance Appropriation	\$3,436

That the following Expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
10-620-575.0000	Contribution to David & Pauline Jarrell City Garden Fund	\$3,436

Adopted this the 6th day of April 2023.

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

ATTEST:

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

(C) An Ordinance to Amend the David and Pauline Jarrell Center City Garden Fund

Ms. Reaves presented and recommended adoption, by reference, of the aforementioned ordinance.

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

26 ORD 4-23

**ORDINANCE TO AMEND
DAVID AND PAULINE JARRELL CITY GARDEN FUND
FY 2022-2023**

WHEREAS, In February 2021, the City Council of the City of Asheboro authorized the execution of the contract with Prospect Landscape Architecture for programming, conceptual design, master planning and construction drawings for the David and Pauline Jarrell Center City Garden.

WHEREAS, the original proposal was approved for \$107,000.

WHEREAS, additional services were requested such as revisions to the Master Plan since final submittal in late 2021, including language and illustrations related to the visitor’s center and cost estimate updates.

WHEREAS, one additional public meeting and additional meetings with PTRC and the City were held to determine next steps and funding (including grant discussions, timeline, creek cleanup coordination and archaeology discussions.

WHEREAS, these changes required an additional 30 house of work and reimbursable expenses including printing and hotel.

WHEREAS, a contribution of \$3,436 from the General Fund is needed to cover these changes

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 revenues be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
75-000-300.1000-75	Contribution from General Fund	\$3,436

That the following Expense line item be increased:

<u>Line Item</u>	<u>Description</u>	<u>Amount</u>
75-000-400-9000-75	Professional Services –Landscape Design	\$3,436

Adopted this the 6th day of April 2023.

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

ATTEST:

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

15. Water Resources Items (Agenda Item 14)

(A) A Resolution Authorizing an Application for a State Grant/Loan for the Lake Lucas Dam Intake Improvements Project

Water Resources Director Michael Rhoney, PE presented and recommended adoption, by reference, of the aforementioned resolution.

Council Member Bell moved, and Council Member Redding seconded the motion to approve/adopt the following resolution by reference.

RESOLUTION NUMBER 9 RES 4-23

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION SUPPORTING AND AUTHORIZING AN APPLICATION FOR A STATE GRANT/LOAN FOR THE LAKE LUCAS DAM INTAKE IMPROVEMENTS PROJECT

WHEREAS, the Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (codified in Chapter 159G of the North Carolina General Statutes) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction for a drinking water treatment works; and

WHEREAS, the City of Asheboro (hereafter referred to interchangeably as the “City” and the “Applicant”) needs and intends to construct water treatment works improvements described as the Lake Lucas Dam Intake Improvements Project (hereafter referred to as the “Project”); and

WHEREAS, the City intends to request state loan or grant assistance for the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro (hereafter referred to as the “Council”) that the City, if approved for a State loan or grant award, will arrange financing for all remaining costs of the Project; and

BE IT FURTHER RESOLVED by the Council that the City will adopt and place into effect on or before completion of the Project a schedule of fees and charges, in addition to other available funds, that will provide adequate funding for the proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt; and

BE IT FURTHER RESOLVED by the Council that a provision will be included in the loan agreement authorizing the State Treasurer, upon failure of the City to make scheduled repayment(s) of the loan, to withhold from the City any State funds that would otherwise be distributed to the City in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan; and

BE IT FURTHER RESOLVED by the Council that the City will provide for the efficient operation and maintenance of the Project infrastructure upon completion of the construction thereof; and

BE IT FURTHER RESOLVED by the Council that John N. Ogburn, III, who is the city manager for the Applicant (the city manager will be hereafter referred to as the “Authorized Official”), and any successor so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan to aid in the construction of the Project described above; and

BE IT FURTHER RESOLVED by the Council that the Authorized Official, and any successor so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the Project, to make the assurances as contained above, and to execute such other documents as may be required in connection with the application; and

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

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting that was held on the 6th day of April, 2023.

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

ATTEST:

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

(B) A Contract Award Decision for the Purchase of Seven Chemicals

Mr. Rhoney reported on the chemical procurement process undertaken for operations at the water and wastewater treatment plants. The apparent lowest responsive, responsible bidders who submitted offers to meet the requirements of the water and wastewater treatment plants for seven chemicals from April 16, 2023 to April 15, 2024, are listed below.

<u>Chemical</u>	<u>Company</u>	<u>Price</u>
Liquid Alum	C&S Chemicals	\$399.00/Ton
Liquid Caustic	Univar, USA, Inc.	\$938.00/Ton
Flousilicic Acid	Univar, USA, Inc.	\$498.00/Ton
Sodium Hypochlorite	Univar, USA, Inc.	\$1.71/Gal
Calcium Nitrate	Aulick Chemical Solutions	\$2.71/Gal
Sodium Permanganate	Amerochem Corporation	\$19.87/Gal
Calium Hydroxide/Magnesium Hydroxide Slurry Blend	Polytec, Inc.	\$1.70/Gal

Council Member Burks moved, and Council Member Heath seconded the motion, to accept the bids/offers listed above and to award to the above-listed chemical suppliers at the listed prices the contracts to supply the designated chemicals required by the

city's water and wastewater treatment plants from April 16, 2023 to April 15, 2024. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Redding, and Swiers voted aye. There were no dissenting votes.

(C) A Resolution Authorizing the Procurement of Professional Consulting Services

Mr. Rhoney presented and recommended adoption, by reference, of a resolution authorizing the procurement of professional consulting services to assist with the water resources division with the Wolfsped Water Line Extension Project.

Council Member Bell moved, and Council Member Swiers seconded the motion to approve/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 10 RES 4-23

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION AUTHORIZING REQUESTS FOR PROPOSALS FOR AN OWNER'S ADVISOR FOR THE WOLFSPED WATER LINE EXTENSION PROJECT

WHEREAS, on February 9, 2023, the Asheboro City Council (hereafter referred to interchangeably as the "City") agreed to a Memorandum of Understanding between the North Carolina Department of Commerce and the City accepting direct allocated funds to make infrastructure improvements necessary to extend water service to the Wolfsped economic development project, and

WHEREAS, the City needs and intends to construct water line improvements described as the Wolfsped Water Line Extension Project (hereafter referred to as the "Project"); and

WHEREAS, the City desires to have the assistance of a professional consultant (hereafter referred to interchangeably as the "Consultant") to act as an extension of staff aligning the entire integrated project with the City's priorities throughout the course of the Project; and,

WHEREAS, the Consultant must be prepared to help the City develop a detailed Project Criteria designed specifically to meet the City's needs and to manage project risk; and,

WHEREAS, these services may include criteria development, design administration, review of equipment and material specifications, review of project costs, commissioning and other applicable support functions and services; and,

WHEREAS, the Consultant must work with the City to customize services to match the project's requirements and the City's needs, allowing the scope of work to be tailored to provide services that are necessary to supplement the City's existing project staff's availability; and,

WHEREAS, the Consultant shall have thorough knowledge and expertise with all components of linear pipeline installation, as well as have a vast understanding of Design-Build contracting.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro to proceed with a request for qualifications seeing a Consultant to represent the City's interests for the Project.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting that was held on the 6th day of April, 2023.

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

ATTEST:

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

16. Announcement of a Special Joint Meeting with the Randolph County Board of Commissioners (Agenda Item 15)

Mayor Smith announced that a special meeting will be held with the Randolph County Board of Commissioners on Monday, April 17, 2023 at 5:00 p.m. in order to hold a public hearing on a proposed economic development project.

No formal action was taken by the council during this portion of the meeting.

17. Upcoming Events and Items not on the Agenda

Mr. Ogburn presented and recommended adoption, by reference, of a resolution to adopt and allocate funds for an outdoor fitness court as part of the 2023 National Fitness Campaign.

Council Member Moffitt moved, and Council Member Burks seconded the motion to approve/adopt the following resolution by reference.

RESOLUTION NUMBER 11 RES 4-23

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

RESOLUTION TO ADOPT AND ALLOCATE FUNDS FOR AN OUTDOOR FITNESS COURT® AS PART OF THE 2023 NATIONAL FITNESS CAMPAIGN

WHEREAS, the City of Asheboro has submitted a Grant Application to National Fitness Campaign (NFC) for participation in their 2023 initiative to install and activate outdoor Fitness Courts® in 200 cities and schools across the country, and;

WHEREAS, the City of Asheboro will accept a \$30,000 National Grant from our NFC Grant Committee and Statewide Partners, and provide a local match in the amount of \$160,000 to promote and implement a free-to-the-public outdoor Fitness Court®, and;

WHEREAS, the City of Asheboro will secure supplemental funding as needed through community sponsors, which will be made available and committed to this program for the purchase of the outdoor Fitness Court®, and;

WHEREAS, the City of Asheboro will commit to construction and launch of the outdoor Fitness Court® by the end of the 2023 calendar year, and;

WHEREAS, the City Council of the City of Asheboro believes the outdoor Fitness Court® is an important wellness ecosystem that supports healthier communities, commits to funding/fundraising to participate in NFC’s 2023 Campaign, and will earn local and national recognition as a leader in providing affordable health and wellness.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Asheboro will collaborate with NFC to implement the outdoor Fitness Court® and make fitness free to community residents and visitors.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting that was held on the 6th day of April, 2023.

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

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

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

27 ORD 4-23

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

WHEREAS, the City of Asheboro would like to add a “Fitness Court®” at the Zoo City Sportsplex.

WHEREAS, Fitness Court ® is an integrated outdoor gym experience that will allow for independent outdoor gym experience and will allow for a Studio where structured classes can be held.

WHEREAS, Fitness Court ® is designed to provide a full body work out incorporating movement through seven zones (core, squat, push, lunge, pull, agility, bend).

WHEREAS, the estimated cost for the Fitness Court ® is \$160,000.

WHEREAS, the City desires to appropriate fund balance to be transferred to the Zoo City Sportsplex project to properly account for this expense with the other project expenses.

WHEREAS, the City of Asheboro desires amend the 2022-2023 General 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:

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

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
10-000-399.0000	Fund Balance Appropriation	160,000

Section 2: 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	160,000

Adopted this the 6th day of April 2023.

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

ATTEST:

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

After approving/adopting the ordinance to amend the general 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.

28 ORD 4-23

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

WHEREAS, the City of Asheboro would like to add a “Fitness Court®” at the Zoo City Sportsplex.

WHEREAS, Fitness Court ® is an integrated outdoor gym experience that will allow for independent outdoor gym experience and will allow for a Studio where structured classes can be held.

WHEREAS, Fitness Court ® is designed to provide a full body work out incorporating movement through seven zones (core, squat, push, lunge, pull, agility, bend).

WHEREAS, the estimated cost for the Fitness Court ® is \$160,000.

WHEREAS, the City desires to recognize funding from the General Fund and appropriate for this 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>
74-000-370.0000-74	Contribution from General Fund	160,000

That the following expense line items be increased:

<u>Line Item</u>	<u>Description</u>	<u>Increase</u>
74-000-400.9009-74	Fitness Court	160,000

Adopted this the 6th day of April 2023.

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

ATTEST:

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

There being no further business, the meeting was adjourned at 9:50 p.m.

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

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