

**REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, ASHEBORO CITY HALL
THURSDAY, FEBRUARY 8, 2024
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)
Charles A. Swiers)
W. Joseph Trogon, Jr.)

John N. Ogburn, III, City Manager
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
Charles J. Garner, Code Enforcement Officer
Eddie L. Garner, Chief Building Inspector
David J. Hutchins, Public Works Director
Steven B. Hackett, CPA, Deputy Finance Director
Michael L. Leonard, PE, City Engineer
Mark T. Lineberry, Chief of Police
Trevor L. Nuttall, Community Development Director
Deborah P. Reaves, Finance Director
Jonathan M. Sermon, Recreation Services 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. Year-End Audit Report for Fiscal Year 2022-2023

Mr. Alan Thompson, CPA with the firm of Thompson, Price, Scott, Adams & Co., PA discussed the audit report for the fiscal year that ended June 30, 2023. During his presentation, Mr. Thompson reported that the city received what is commonly referred to as a “clean audit” (also referred to as an “unmodified opinion”). A “clean audit” means the city’s financial statements are fairly presented in accordance with generally accepted accounting principles for the fiscal year ending June 30, 2023.

The council members expressed their satisfaction with the audit report and their general consent to the acceptance of the report from the auditor. A copy of the written audit report is available for inspection in the city’s finance department.

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

4. Feral Cats Neutering Program Discussion

Dr. Tina Byrd, DVM gave a presentation pertaining to feral cats. During her presentation, Dr. Byrd discussed how the “Trap, Neuter, and Release” program helps

control the feral cat population and asked that the city council explore options to amend the Code of Asheboro to address complaints about feral cats.

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

5. Discussion of Randolph Community College's 2024 Strategic Planning Process

Dr. Shah Ardalan, Ed.D, President of Randolph Community College and Ms. Linda Brown discussed the college's strategic plan process. The discussion focused on how the strategic plan process should focus on the ways that the community's economy is evolving with economic development projects such as Toyota and Wolfspeed and integrate such growth in order to have long-term sustainability with the college and its students.

Citizens will have opportunities to participate in public meetings sponsored by the college. These meetings will assist the college's planning team in developing a strategic plan. More information about the process will be published online and available through the Randolph Community College's website.

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

6. Public Comment Period

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

Mayor Smith then closed the public comment period and moved to the next item on the meeting agenda.

7. 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, Swiers, and Trogon voted aye. There were no dissenting votes.

(a) Approval of the City Council Meeting Minutes for January 11, 2024

The meeting minutes for the city council's regular meeting on January 11, 2024, 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) Acknowledgement of the Receipt of the Meeting Minutes for the Asheboro ABC Board Meeting Held on December 4, 2023

The meeting minutes for the above-listed Asheboro ABC Board meeting were received and distributed to the elected officials. The documents have been filed in the city clerk's office.

(c) Approval of the Community Development Division's request to schedule for the regular city council meeting on March 7, 2024, and to advertise, a legislative hearing on an application to rezone property adjacent to 1901 North Fayetteville Street (Randolph County Parcel Identification Numbers 7762091068 and 7752988469) by amending an RA6 (CZ) zoning district to allow for a residential development with multiple family dwellings.

(d) Acknowledgement of the receipt of the monthly report detailing major subdivisions administratively approved in 2024.

There have been none approved.

- (e) **Approval of a Contract Amendment Extending the Termination Date for the Starpet Building Reuse Grant from December 10, 2023 to December 10, 2024.**

A copy of the approved contract amendment instrument is on file in the city clerk's office.

- (f) **Approval of a Resolution Awarding to Chief of Police Mark T. Lineberry, upon His Retirement, His Service Side Arm**

RESOLUTION NUMBER 2 RES 2-24

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**A RESOLUTION AWARDING TO MARK T. LINEBERRY
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 career with the Asheboro Police Department, which began on May 4, 1992, Asheboro Police Chief Mark T. Lineberry will begin his retirement from employment with the city on March 1, 2024; and

WHEREAS, pursuant to and in accordance with Section 17F-20 of the North Carolina General Statutes, the Asheboro City Council wishes to recognize and honor Chief Lineberry 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 March 1, 2024, in consideration of the combination of his dedicated service to the City of Asheboro and the payment to the city of \$1.00, Mark T. Lineberry is to be awarded ownership of his city-issued service side arm (a Glock model 45 9mm with serial no. BLKC000 and three magazines) upon a determination by the police department command staff that Mr. Lineberry 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 February 8, 2024.

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

ATTEST:

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

8. Community Development Items

- (a) **Legislative Hearing (Case No. RZ-24-01): An application to rezone property at 1419 and 1425 Old Liberty Road (Randolph County Parcel Identification Numbers 7763939476 and 7763939312) from B1 and R10 zoning to R10 (CZ) zoning to modify lot width standards for single and two-family dwellings.**

Mayor Smith opened the legislative hearing on the zoning map amendment application filed as Case No. RZ-24-01. Community Development Director Trevor Nuttall was the first speaker. In addition to entering into the record the notation that notice of this land use case had been advertised, posted, and mailed as required by North Carolina law, he gave an overview of the zoning map amendment application submitted by Christian Vestal.

The land for which the above-described zoning has been requested is located at 1419 and 1425 Old Liberty Road (this property will be hereinafter referred to as the “Zoning Lot.”) The Zoning Lot is approximately 1.84 acres in size, and is specifically identified by Randolph County Parcel Identification Numbers 7763939476 and 7763939312. The Zoning Lot is owned by Christian D. Vestal and Taylor Saunders Vestal.

In addition to the written staff report, Mr. Nuttall utilized a slide show presentation in conjunction with his comments. The following points of information were noted.

1. The property is inside the city limits.
2. Old Liberty Road is a minor thoroughfare at this location.
3. The property currently has R10 (Medium-Density Residential) zoning on the majority of the property at 1425 Old Liberty Road and B1 zoning at 1419 Old Liberty Road and a small portion of the property at 1425 Old Liberty Road.
4. The zoning ordinance describes the B1 district as “intended to provide for limited retail and personal service uses on free-standing parcels or for small centers to serve adjacent residential neighborhoods. These districts shall normally be located in nodes along minor thoroughfares or higher classification streets.” The R10 district is described as producing 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.”
5. The owner proposes retaining the single-family dwelling on one parcel and dividing the larger parcel into two lots, with a two-family dwelling on each of the new lots. Typical R10 minimum lot sizes are 10,000 square feet for a single-family dwelling and 15,000 square feet for a two-family dwelling. Each lot exceeds the minimum lot size for the use proposed.
6. The zoning ordinance allows an applicant to propose a conditional zoning district that deviates from the zoning ordinance’s pre-determined requirements. The primary deviation requested by the applicant is the reduction of the lot width from the standard R10 lot width of 75 feet to 70 feet.
7. The applicant proposes a share driveway to serve both two-family dwellings. One driveway serving the single-family dwelling already exists. The applicant has indicated he has contacted NCDOT and a driveway permit will be required.
8. The property is in close proximity to the intersection of WOW Road and Old Liberty Road, which is designed as a proposed Neighborhood Activity Center. Such a designation advocates a small, pedestrian-oriented neighborhood activity center with a “mix of commercial, office and institutional, entertainment, open space, and residential uses and housing types.” While that particular plan recommendation has not been realized, there are non-residential uses and zoning in close proximity, including industrial zoning across Old Liberty Road to the east.

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:	Northeast

Growth Strategy Map Designation:

Primary Growth

LDP Goals/Policies Which Support Request:

- Checklist Item 1:** Rezoning is compliant with the Proposed Land Use Map.
- Checklist Item 5:** Complies with Growth Strategy Map
- Checklist Items 12-14:** Property is located outside of the watershed area, Special Hazard Flood Area, and area with steep slopes.

There were no goals/policies that do not support the request.

The City of Asheboro Planning Board considered the zoning application and recommended placement of the Zoning Lot into the requested R10 (CZ) zoning district with modified lot width standards. In making this recommendation, the planning board concurred with the planning staff's analysis of the consistency of the proposed zoning with the adopted comprehensive plans as well as the reasonableness of the proposal. The planning staff's analysis is summarized in the following indented paragraphs.

The application seeks to eliminate a small area of Neighborhood Commercial zoning that would be challenging to utilize, and instead proposes a conditional R10 district, similar to the surrounding residential zoning, that would allow single and two-family uses permitted by right in the R10. The request does include a slight modification to R10 lot width standards but offers to provide a shared driveway for the new development proposed, which helps to manage the number of driveways connecting to Old Liberty Road and promotes public safety. The number of dwellings and housing types requested are consistent with what would be expected in the R10 district.

Considering the aforementioned analysis, staff believes that the proposed zoning map amendment is reasonable and in the public interest, subject to acceptance of the staff suggested conditions.

In the event of council approval of the application, the planning staff did offer suggested conditions to include as part of the requested conditional zoning ordinance. These conditions are as follows:

- (A) *The use approved shall be a single-family dwelling on PIN 7763939312 and one single or two-family dwelling on each new lot created through the subdivision of PIN 7763939476 as depicted on the site plan. Any accessory uses permitted by-right in the R10 district shall be authorized subject to compliance with general R10 district regulations.*
- (B) *Development on the new lots to be created through the subdivision of PIN 7763939476 shall share a single-driveway connection to Old Liberty Road.*
- (C) *All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.*
- (D) *Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.*
- (E) *Deviations from the Zoning Ordinance's pre-determined development requirements shall be strictly limited to the reduction in lot width to no less than 70 feet at a lot's front setback line.*

- (F) *Prior to issuance of a zoning permit for the development depicted, the owner shall provide the following:*
- (i) *NCDOT permit(s) and updates to the plan as necessary to obtain said permit.*
 - (ii) *Recordation of a survey plat creating the lots as shown on the site plan.*
- (G) *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 the conditional zoning district in the chain of title for the Zoning Lot.*

The applicant, Mr. Christian Vestal, presented comments in support of the rezoning, and he was in agreement with the staff suggested conditions. Additionally, after the applicant and the elected officials discussed off-street parking concerns associated with the currently contemplated development of a two-family dwelling on each new lot created through the subdivision of PIN 7763939476, mutual agreement was reached to add an additional condition to the ordinance approving the requested map amendment.

The added condition provides as follows:

In the event a two-family dwelling is actually developed on each new lot created through the subdivision of PIN 7763939746, four paved parking spaces above and beyond the minimum number of off-street parking spaces required under the zoning ordinance's predetermined standards shall be installed. Such additional parking spaces shall be shown on a revised site plan submitted to the planning staff for a review of the plan's compliance with all applicable ordinances. The installation of these additional parking spaces shall be conducted in compliance with the zoning ordinance. The submission of a revised site plan reflecting compliance with this condition shall not be deemed to constitute a modification requiring a new map amendment application.

There was opposition to the application. Sylvia Smith, Donna Hughes, Kenneth and Crystal Davis, and Susan Richards had questions and concerns about the rezoning. When no one else asked to speak, Mayor Smith 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 conditional zoning ordinance amendment with the following multi-part motion.

1. The applicant proposes the elimination of a small area of Neighborhood Commercial zoning that would be challenging to utilize, and instead proposes a conditional R10 district, similar to the surrounding residential zoning, that would allow single and two-family uses permitted by right in the R10. Additionally, the application includes a slight modification to R10 lot width standards but offers to provide a shared driveway for the proposed new development. This helps to manage the number of driveways connected to Old Liberty Road and promotes public safety. The proposed number of dwellings and housing types are consistent with what would be expected in the R10 district.

Considering the aforementioned analysis, the council believes that the proposed zoning map amendment is consistent with the adopted comprehensive plan, is reasonable, and in the public interest.

2. The zoning map amendment application seeking to place the Zoning Lot into the requested R10 (CZ) zoning district is hereby approved, subject to the inclusion of the staff recommended conditions and the above-

stated additional parking spaces condition with the approved conditional zoning ordinance.

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

(b) The Requested Appointment of Pamela Vuncannon to a New 5-year Term of Office (January 1, 2024 to January 1, 2029) on the Asheboro Planning Board

Mr. Nuttall asked the council members to consider the appointment of Pamela Vuncannon to a new 5-year term of office (January 1, 2024 to January 1, 2029) on the Asheboro Planning Board.

Council Member Heath moved, and Council Member Swiers seconded the motion to appoint Pamela Vuncannon to a new 5-year term of office (January 1, 2024 to January 1, 2029) on the Asheboro Planning Board. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

(c) A Request for Council Authorization to Forward to the Randolph County Board of Commissioners a Request for the Reappointment of Thomas Rush to the Asheboro Planning Board as a Representative from the City's Extraterritorial Planning Jurisdiction

Mr. Nuttall asked the council members to consider the authorization to forward to the Randolph County Board of Commissioners, a request for the reappointment of Thomas Rush to the Asheboro Planning Board as a representative from the city's extraterritorial planning jurisdiction.

Council Member Bell moved, and Council Member Heath seconded the motion to approve the authorization to forward to the Randolph County Board of Commissioners a request for the reappointment of Thomas Rush to the Asheboro Planning Board as a representative from the city's extraterritorial planning jurisdiction. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

9. Downtown Asheboro Discussions

(a) Options for the Expansion of the Zoo City Social District

During the regular city council meeting that was held on January 11, 2024, the council members directed city staff to explore options in order to include the Hoover Hatchet House in the Zoo City Social District. The Hoover Hatchet House is located on the east side of S. Fayetteville Street.

City Attorney Jeff Sugg presented to the council members maps with four potential options for the expansion of the Zoo City Social District. Council Member Bell moved, and Council Member Moffitt seconded the motion, to approve/adopt the map labeled "Potential Zoo City Social District Expansion – Option D with an effective date of March 14, 2024" Council Members Bell, Heath, McCaskill, Moffitt, Swiers and Trogon voted aye. Council Member Burks voted no.

A second and final vote on this issue will be taken during the next regular council meeting on March 7, 2024.

Copies of the maps that were distributed are on file in the city clerk's office.

(b) Discussion of the Zoo City Street Festival

Downtown Asheboro Inc. Executive Director Addie Corder asked the city council members to consider closing Sunset Avenue (from Fayetteville Street to Church Street) and North Street from 5:00 p.m. to 8:00 p.m. for the Zoo City StrEAT Fest that is proposed for April 20, 2024. Downtown Asheboro Inc and the N.C. Zoo are collaborating in order for a street festival to be held in honor of the zoo's 50th anniversary. The festival would include options for outdoor dining with the restaurants located downtown.

Council Member Bell moved, and Council Member Heath seconded the motion to direct city staff to draft a street closure order for the requested closure of sections of Sunset Avenue and North Street on April 20, 2024 for the Zoo City Street Festival. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

A street closure order will be available for council's consideration during the regular meeting on March 7, 2024.

(c) Proposal to Abate an Underground Storage Tank

Mr. Nuttall requested council's authorization for city staff to accept the D.H. Griffin Wrecking Company proposal that is dated January 15, 2024. This authorization is for the removal of an existing 20,000 gallon underground storage ("UST") tank that is located on the city's historic mill property at 159 North Street.

Council Member Bell moved, and Council Member Burks seconded the motion to authorize city staff to accept the D.H. Griffin Wrecking Company proposal that is dated January 15, 2024, and award to the contractor the Underground Storage Tank Closure Activities Contract to remove the UST at an estimated price of \$64,025. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

[A copy of the approved proposal is on file in the city clerk's office.]

10. Report on Water Distribution Line Breaks

Public Works Director David Hutchins utilized a slide show presentation in order to update the council members on water main breaks that took place in January 2024. During the month of January, there were approximately twelve (12) water main breaks that occurred within the city. City crews repaired the leaks with approximately 50 hours dedicated to the repairs.

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

11. Building Inspections Department Annual Report

Chief Building Inspector Eddie Garner presented an overview of the building inspections department's activities during 2023. The department's report reflected the issuance of a total of 1,560 permits with a total of \$602,851.31 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.

12. Code Enforcement Annual Report

Code Enforcement Officer Charles Garner utilized a slide show presentation to provide an overview of the activities, including remedial actions, undertaken by the code enforcement office during the preceding year. Mr. Garner's report reflected recorded violations for 2023. These violations included, but were not limited to, unlawful tent cities and dilapidated structures.

A copy of the slide show utilized by Mr. Garner is on file in the city clerk's office. No formal action was taken by the council during this portion of the meeting.

13. Recreation Services Items

(a) Zoo City Sportsplex

Prior to the consideration of agenda item 13(a), Council Member Swiers asked to be recused from participating in any manner in this specific agenda item. This request was made because of the council member's service on the YMCA board. He is endeavoring to avoid a conflict of interest.

In response to the council member's disclosure and request, Council Member Bell moved, and Council Member Heath seconded the motion, to recuse Council Member Swiers as requested. Council Members Bell, Burks, Heath, McCaskill, Moffitt, and Trogdon voted aye. There were no dissenting votes.

Recreation Services Director Jonathan Sermon presented and recommended adoption, by reference, of an ordinance amending Section 19.6 in the Cultural and Recreation Services Policy Manual. The adoption of this ordinance would integrate the facility use agreement in Section 19.6 of the policy manual. This facility use agreement pertaining to the Zoo City Sportsplex was introduced to the council during its regular January 11, 2024 meeting.

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

ORDINANCE NUMBER 4 ORD 2-24

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**AN ORDINANCE AMENDING SECTION 19.6 IN THE
CULTURAL AND RECREATION SERVICES POLICY MANUAL**

WHEREAS, the City of Asheboro Cultural and Recreation Services Policy Manual contains the rules and regulations applicable to the city's cultural and recreation services facilities; and

WHEREAS, Section 98.01 (Adoption by Reference) of the Code of Asheboro provides that the City of Asheboro Cultural and Recreation Services Policy Manual (the "Manual") has been adopted by the Asheboro City Council by reference and made a part of the Code of Asheboro; and

WHEREAS, the Zoo City Sportsplex is administered by Asheboro Cultural and Recreation Services in compliance with regulations adopted by the city council and found in Article XIX of the Manual; and

WHEREAS, during the city council's regular meeting on January 11, 2024, an agreement pertaining to the Zoo City Sportsplex, which was titled "Facility Use Agreement between Randolph-Asheboro YMCA and the City of Asheboro," was presented to the city council for ratification; and

WHEREAS, on the condition that the material terms and conditions of the proposed facility use agreement must be integrated into the regulations applicable to the Zoo City Sportsplex, the city council is willing to ratify the proposal; and

WHEREAS, the recommended text to integrate the referenced facility use agreement into Section 19.6 of the Manual has been attached to this Ordinance as EXHIBIT 1, which is hereby incorporated into this instrument by reference as if copied fully herein.

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

Section 1. Within Article XIX of the City of Asheboro Cultural and Recreation Services Policy Manual, Section 19.6 of the Manual is hereby rewritten to provide as stated in the attached EXHIBIT 1.

Section 2. All articles, sections, and provisions of the Manual that are not explicitly modified by the contents of EXHIBIT 1 shall continue in full force and effect without alteration.

Section 3. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. The regulations found in EXHIBIT 1 shall be in full force and effect upon and after February 9, 2024.

Section 5. As soon as is practicable, the contents of this Ordinance, inclusive of the attached exhibit, shall be transmitted in writing by the city's recreation services director to an authorized representative of the Randolph-Asheboro YMCA.

The Asheboro City Council approved this Ordinance in open session during a regular meeting held on the 8th day of February, 2024.

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

ATTEST:

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

EXHIBIT 1

ARTICLE XIX. ZOO CITY SPORTSPLEX

SECTION 19.6 PARTNER ORGANIZATION DEFINITIONS

For purposes of this section the Randolph-Asheboro YMCA will be considered an approved partner organization.

- A. All Zoo City Sportsplex amenities as well as all activities, programs, tournaments, and special events will be scheduled and managed by Asheboro Cultural & Recreation Services on behalf of the City of Asheboro where not exempted below in items (B) and (C).
 - (1) The City of Asheboro shall retain all revenue generated from the sources mentioned in item (A) and as further described in the Schedule of Deposits, Fees, and Charges as set and approved by the Asheboro City Council.
- B. The City of Asheboro and the Randolph-Asheboro YMCA will partner to sponsor, schedule, and manage their recreational Youth Soccer League and the Challenge Soccer Program, currently known as the Asheboro City Futbol Club. The Youth Soccer Program is under the auspices of the North Carolina Youth Soccer Association.

- C. The City of Asheboro and the Randolph-Asheboro YMCA will also partner to sponsor, schedule, and manage their youth and adult recreational Beach Volleyball Leagues.
 - (1) As a partner organization, the Randolph-Asheboro YMCA shall not be required to lease the courts/fields needed to facilitate the above listed programs mentioned in items (B) and (C).
 - (2) The Randolph-Asheboro YMCA shall retain all participant registration revenue generated from the above listed programs mentioned in items (B) and (C).
- D. If at any time the Randolph-Asheboro YMCA fails or chooses not to offer the programs listed in items (B) or (C), the City of Asheboro reserves the right to program those activities and receive any revenue generated from those programs.
- E. The Randolph-Asheboro YMCA may sell all food and beverages at concession stand #2 for the partnership events listed above in items (B) and (C) and retain any profit gained to financially support those youth activities.

F. Notwithstanding any other provision found in Article XIX, and with the modification that the terms and conditions found in the below-referenced agreement are subject to amendment by the city council in the same manner as any other regulation found in the City of Asheboro Cultural and Recreation Services Policy Manual (the "Manual"), the Facility Use Agreement between Randolph-Asheboro YMCA and the City of Asheboro, which was signed by representatives of the two entities on December 13, 2023, and presented to the city council for review on January 11, 2024, is, with the modification stated in this subsection, hereby ratified and incorporated into Section 19.6 of the Manual by reference as if copied fully herein. When applying the regulations applicable to the Zoo City Sportsplex, if a conflict between the text printed in Article XIX and the text in the facility use agreement that is incorporated by reference into Section 19.6 is encountered, the text found in the incorporated facility use agreement shall be the controlling text.

(b) McCrary Ballpark

Mr. Sermon reported that a legal notice was published in the local newspaper on January 30, 2023. This legal notice was published in order to give citizens notice that the city council will soon consider the approval/adoption a lease agreement for the use of McCrary Ballpark.

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

(c) Asheboro Tennis Center

Mr. Sermon reported that the trees at the Asheboro Tennis Center were recently cut. These trees will be replaced with new trees that are consistent with good maintenance of the tennis courts. Additionally, the wind screening will be replaced.

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

14. Proposed Youth Athletics Scholarship Program

Assistant Recreation Services Director Jody Maness requested the council's approval to institute a scholarship program for youth sports. The scholarship program would provide financial assistance to youth who may or may not otherwise be able to participate in youth athletics in Asheboro. The recipient must be an Asheboro city resident.

Council Member Bell moved, and Council Member Swiers seconded the motion to establish a youth athletics scholarship program for the City of Asheboro. Council

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

[A copy of the approved proposal is on file in the city clerk's office.]

15. Transportation Issues

(a) The relocation of NC 159 and the requested adoption of municipal declarations pertaining to the repeal and enactment of certain speed limitations tied to concurring state ordinance numbers 1037284 and 1084871

Mr. Nuttall asked that the above-referenced item be continued to provide time for more interaction between city staff and NC Department of Transportation personnel about this issue.

Council Member Heath moved, and Council Member Trogon seconded the motion, to continue this agenda item to the council's regular March 7, 2024 meeting. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

(b) North Carolina Department of Transportation Review of Several Intersections within the City of Asheboro for Pedestrian improvements

Mr. Nuttall reported that the North Carolina Department of Transportation has requested feedback from the City of Asheboro on potential pedestrian-oriented intersection improvements. Improvements being studied range from the addition of crosswalks, ramps, sidewalk extensions, and new or modified pedestrian signals/traffic signal timings.

The work is expected to be funded by a federal funding appropriation directed to NCDOT. The city is not expecting to have to cost share with this expense. A list of intersections being considered has been provided, and others can be added. Input is requested in the next two or three weeks.

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

16. The Outline of a Potential Urban Archery Deer Hunting Program

City Attorney Jeff Sugg presented a potential urban archery deer hunting program for the City of Asheboro. This program would allow individuals to use archery equipment within the corporate limits of the City of Asheboro as participants in the city's urban archery deer hunting program. Such activities with archery equipment would not be deemed to be a violation of the prohibition that is found within the city code.

A draft ordinance to implement the City of Asheboro Urban Archery Deer Hunting Program was distributed and discussed with the council. The discussion included a review of the proposed City of Asheboro Urban Archery Deer Hunting Program Manual.

After discussion, a consensus emerged to direct the city attorney to prepare for final action an ordinance to implement the proposed program. The revised ordinance is to prohibit the use of cross bows.

Council Member Bell moved, and Council Member Burks seconded the motion to direct city staff to prepare an ordinance for final action at the council's regular March 7, 2024 meeting, and this revised ordinance is to prohibit the use of cross bows as part of the city's urban archery deer hunting program. Council Members Bell, Burks, Heath, McCaskill, Moffitt, Swiers, and Trogon voted aye. There were no dissenting votes.

An ordinance will be presented to the council for a second vote and final adoption at the city's regular March 7, 2024 meeting.

17. Discussion of Plans to Engage with the Piedmont Triad Regional Council and UNC School of Government in Order to Design and Lead Work Sessions with the City Council

City Manager John Ogburn announced that a workshop will be held on February 23, 2024 at 12:00 p.m. in the city's recreation center. Mr. Matthew Dolge, Executive Director of PTRC will lead the council through the prioritization process of the remaining capital projects as well as receive additional project ideas or scopes of new projects to be included. The capital projects or initiatives include the Sportsplex, McCary Park, Emergency Operations Center/Fire Station #3, Crestview Church Road Extension, Jarrell Garden, expanded public transportation options, and the historic North Street mill (Acme-McCrary).

On March 22, 2024 at 12:00 p.m., Ms. Rebecca Ann Jackson of the UNC School of Government will lead a conversation focusing on potential strategic planning initiatives to be further investigated. This meeting will take place in the city's recreation center.

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

There being no further business, the meeting was adjourned at 11:14 p.m.

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

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