

**AMENDED AGENDA  
REGULAR MEETING  
CITY COUNCIL, CITY OF ASHEBORO  
THURSDAY, JUNE 4, 2015, 7:00PM**

1. Call to order.
2. Silent prayer and pledge of allegiance.
3. Presentation of Life Saving Pin to Police Officer Caleb Cockman
4. Consent Agenda:
  - (a) Approval of the minutes of the regular meeting of the city council held on May 7, 2015.
  - (b) Approval of the minutes of the special meeting of the city council held on May 21, 2015.
5. Consideration of a resolution in support of Governor McCrory's proposed Connect NC Bond Package
6. Trevor Nuttall will present the following Community Development Division items:
  - (a) A quasi-judicial hearing (Case No. SUP-15-03) requesting a Special Use Permit for an existing Manufactured Home Park (Oak Meadows) at the northwest terminus of Cedar Road.
  - (b) Subdivision Case SUB-15-02: Preliminary Plat Review for New Century Industrial Center.
  - (c) Consideration of a proposed economic development project on West Central Avenue.
    - (i) Public hearing on the possible submission of a Community Development Block Grant application for an economic development project designed to construct a railroad spur to serve a new facility to be operated by Technimark, LLC on West Central Avenue.

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(ii) Consideration of a resolution approving the submission of a formal application to the North Carolina Department of Commerce for funding from the Community Development Block Grant Program.

(iii) Consideration of a resolution adopting a procurement plan specific to the proposed economic development project on West Central Avenue.

(d) Mr. Nuttall will review bids on the East Dixie Drive Sidewalk Project (WBS Element 3608.3.08).

7. Mr. Gary Hall, Executive Director of the Randolph County SCPA, will address the council requesting the establishment of an anti-tethering ordinance.
8. Public hearing on the proposed budget for fiscal year 2015-2016. The finance director will provide an overview of the proposed budget, and then public input will be received.
9. Public comment period.
10. The Recreation Services Superintendent will present a fee schedule amendment pertaining to kayak and boat rental spaces at Lake Lucas.
11. The city attorney will present a resolution delegating the authority to the city manager to grant written exemptions for certain projects from the procurement process established by the state's Mini-Brooks Act.
12. Upcoming Events:
  - NAACP Annual Banquet Saturday, June 6, 6:00PM at AVS Banquet Center.

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- All-America City Rehearsal Monday, June 8, at 5:30PM at Sunset Theatre.
- Planning and Zoning Department Land Development Plan Community Workshop Thursday, June 18, 5:00 PM to 7:00 PM at North Ridge Church.
- Randolph County Economic Development Corporation Annual Meeting, Tuesday, June 23, 8:00AM at AVS Banquet Center.
- Special city council meeting on Monday, June 29 at 12:30 PM to consider adoption of the budget for fiscal year 2015-2016.

13. Discussion of items not on the agenda.

14. Adjournment

**REGULAR MEETING  
ASHEBORO CITY COUNCIL  
CITY COUNCIL CHAMBER, MUNICIPAL BUILDING  
THURSDAY, MAY 7, 2015  
7:00 p.m.**

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

David H. Smith ) – Mayor Presiding

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

Talmadge S. Baker ) – Council Member Absent

Michael W. Hunter ) – Council Member Hunter Passed Away on April 10, 2015.

John N. Ogburn, III, City Manager  
Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal  
Leigh Anna Johnson, Public Information Officer  
Michael L. Leonard, P.E., City Engineer  
Trevor L. Nuttall, Community Development Director  
Steven O. Paye, Safety Coordinator  
Deborah P. Reaves, Finance Director  
Michael D. Rhoney, P.E., Water Resources Director  
James O. Smith, Assistant Chief of Police  
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 or meditation, Mayor Smith asked everyone to stand and say the pledge of allegiance.

**3. Consent agenda.**

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

**(a) The minutes of the City Council's regular meeting on April 9, 2015.**

**(b) Acknowledgement of the receipt of the minutes of the Asheboro ABC Board's meeting on March 2, 2015.**

[A copy of the above-referenced minutes from the Asheboro ABC Board is on file in the City Clerk's office.]

**(c) Acknowledgement of the receipt and acceptance, without amendment, of the operational hours proposed by the Recreation Services Superintendent for the city-owned pools during the 2015 season.**

[A copy of the above-referenced schedule is on file in the City Clerk's office.]

**(d) Audit contract for the fiscal year ending June 30, 2015.**

[A copy of the above-referenced audit contract is on file in the City Clerk's office.]

- (e) **Budget amendments:**
  - (i) **Amend the general fund.**

**08 ORD 5-15**

**ORDINANCE TO AMEND THE GENERAL FUND FY 2014-2015**

WHEREAS, expenditures for 2014-2015 have changed in relation to the current adopted budget, and;

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, and;

WHEREAS, the City Council of the City of Asheboro wants 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 item be increased:

<u>Account #</u>	<u>Description</u>	<u>Increase</u>
10-399-0000	Fund Balance Allocation	617,427

Section 2: That the following Expense line item be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
10-410-0704	Fringe- Insurance	1,084
10-420-0704	Fringe- Insurance	204
10-440-0704	Fringe- Insurance	2,438
10-450-0704	Fringe- Insurance	2,438
10-480-0704	Fringe- Insurance	1,300
10-490-0704	Fringe- Insurance	9,750
10-495-0704	Fringe- Insurance	1,625
10-510-0704	Fringe- Insurance	152,750
10-530-0704	Fringe- Insurance	92,625
10-540-0704	Fringe- Insurance	3,450
10-545-0704	Fringe- Insurance	4,875
10-550-0704	Fringe- Insurance	13,000
10-555-0704	Fringe- Insurance	32,500
10-565-0704	Fringe- Insurance	35,750
10-575-0704	Fringe- Insurance	4,063
10-580-0704	Fringe- Insurance	34,125
10-585-0704	Fringe- Insurance	1,625
10-590-0704	Fringe- Insurance	4,875
10-615-0704	Fringe- Insurance	3,250
10-620-0704	Fringe- Insurance	13,000
10-625-0704	Fringe- Insurance	3,450
10-640-0704	Fringe- Insurance	42,250
10-410-1410	Great America City Award	50,000
10-490-0400	Professional Services	40,000
10-490-4500	Asbestos Abatement	15,000
10-500-1500	Maintenance & Repair- Building	48,000
10-500-6000	Small Equipment	4,000
	Increase / (Decrease)	617,427

Adopted this 7<sup>th</sup> day of May, 2015.

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

ATTEST:

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

(ii) **Amend the water-sewer fund.**

09 ORD 5-15

**ORDINANCE TO AMEND THE WATER & SEWER FUND FY 2014-2015**

WHEREAS, expenditures for 2014-2015 have changed in relation to the current adopted budget, and;

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

WHEREAS, the City Council of the City of Asheboro wants 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 item be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
30-399-0000	Fund Balance Allocation	144,951

Section 2: That the following Expense line item be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
30-720-0704	Fringe- Insurance	8,938
30-810-0704	Fringe- Insurance	17,344
30-820-0704	Fringe- Insurance	17,615
30-830-0704	Fringe- Insurance	25,740
30-840-0704	Fringe- Insurance	18,969
30-850-0704	Fringe- Insurance	27,095
30-860-0704	Fringe- Insurance	3,250
30-870-0704	Fringe- Insurance	17,875
30-880-0704	Fringe- Insurance	8,125
	Increase	144,951

Adopted this 7<sup>th</sup> day of May, 2015.

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

ATTEST:

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

(f) **An ordinance lowering the speed limit on Horse Carriage Lane.**

**ORDINANCE NUMBER** 10 ORD 5-15

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

**ORDINANCE AUTHORIZING A SPEED LIMIT OF 25 MILES PER HOUR  
FOR HORSE CARRIAGE LANE**

**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 20-141(b) of the North Carolina General Statues provides as follows:

Except as otherwise provided in this Chapter, it shall be unlawful to operate a vehicle in excess of the following speeds:

- (1) Thirty-five miles per hour inside municipal corporate limits for all vehicles.

- (2) Fifty-five miles per hour outside municipal corporate limits for all vehicles except school buses and school activity buses; and

**WHEREAS**, Section 20-141(e) of the North Carolina General Statutes provides as follows:

Local authorities, in their respective jurisdictions, may authorize by ordinance higher speeds or lower speeds than those set out in subsection (b) upon all streets which are not part of the State highway system; but no speed so fixed shall authorize a speed in excess of 55 miles per hour. Speed limits set pursuant to this subsection shall be effective when appropriate signs giving notice thereof are erected upon the part of the streets affected; and

**WHEREAS**, speed restrictions established by the Asheboro City Council by means of the adoption of an appropriate ordinance are to be recorded in Schedule 16 of Chapter 72 of the Code of Asheboro; and

**WHEREAS**, during a regular meeting of the Asheboro City Council on April 9, 2015, a petition was presented by Mr. Stephen S. Grove on behalf of the residents living on Horse Carriage Lane, which is a city-maintained street located within the corporate limits of the City of Asheboro, and Mr. Grove's cover letter for the said petition provided, in pertinent part, as follows:

On behalf of 100% of the residents of Horse Carriage Lane in the Sykes Farm Subdivision, please submit the executed petition that I delivered to you (City Engineer Michael Leonard, P.E.) on March 4<sup>th</sup> to the City Council for their consideration at its April 9<sup>th</sup> meeting.

The Petition summary and background: The 35 mph speed limit on Horse Carriage Lane, Carriage at Sykes Farm Subdivision, is excessive considering the young people who ride their bikes, scooters and skate boards in or near our 20' wide roadway. The steep grade and large curve therein add to the safety concerns we have. Also, many drivers do not see the yellow "No Outlet" tag on our street sign and are unaware of the large number of children who play on our street.

Action petitioner for: The subject petitioners respectfully request the Asheboro City Council to lower the speed limit to 25 mph, on Horse Carriage Lane, for the safety concerns stated above; and

**WHEREAS**, no traffic study and/or public input in opposition to this petition has been presented to the Asheboro City Council;

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

**Section 1.** On and after the effective date of this Ordinance, the speed limit on Horse Carriage Lane shall be twenty-five (25) miles per hour.

**Section 2.** The city manager is hereby directed to cause, in consultation with the chief of police, the appropriate signs giving notice of the authorized speed limit of twenty-five (25) miles per hour to be erected upon Horse Carriage Lane.

**Section 3.** The city clerk shall amend Schedule 16 of Chapter 72 of the Code of Asheboro to reflect the imposition of the above-stated speed restriction.

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

**Section 5.** This Ordinance shall take effect and be in force from and after May 15, 2015.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 7<sup>th</sup> day of May, 2015.

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

ATTEST:

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

- (g) An ordinance restricting parking on the public vehicular area at 1010 North Fayetteville Street.

ORDINANCE NUMBER \_\_\_\_\_ 11 ORD 5-15 \_\_\_\_\_

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**AN ORDINANCE REGULATING PARKING IN THE PUBLIC VEHICULAR AREA AT  
1010 NORTH FAYETTEVILLE STREET**

**WHEREAS**, Section 160A-301(d) of the North Carolina General Statutes provides that the city council may, by ordinance, prohibit the stopping, standing, or parking of vehicles during any specified hours in a privately owned public vehicular area when the owner or person in general charge and control of such an area requests in writing that such an ordinance be adopted; and

**WHEREAS**, Section 71.05 of the Code of Asheboro provides as follows:

§ 71.05 POSTING OF NO PARKING AREAS ON PRIVATE PROPERTY.

(A) *Parking in violation of signs prohibited.* No person shall stop, leave standing, or park a motor vehicle in the area specified in this section in violation of posted signs, when signs are placed, erected or installed giving notice that stopping, standing or parking is regulated, prohibited, or prohibited during certain hours, in that space or area.

(B) *Locations designated.* The following locations are designated as "no parking" spaces: (Area and time of parking restrictions to be described--Schedule 17 of § 72.02).

(C) *Cost of signs.* The cost of erecting or installing signs, and the cost of all necessary signs as determine(d) by the Chief of Police shall be paid for by the individual requesting regulations.

(D) *Enforcement.* The provisions of this section shall be enforceable in the same manner and in accordance with G.S. § 14-4. (citations omitted); and

**WHEREAS**, JHS Master Capital, LLC, which is a North Carolina limited liability company, owns a lot or parcel of land located at 1010 North Fayetteville Street in Asheboro, the said parcel of land is more specifically identified by Randolph County Parcel Identification Number 7751987273; and

**WHEREAS**, due to the problems posed by individuals congregating with their vehicles on the public vehicular area of this parcel of land, especially in the vicinity of the car wash that is located on the said lot, Mr. Jeffrey Schwarz, who is the member/manager of the limited liability company that owns the land, has submitted a written request, with supplemental clarification, to have the parking of vehicles in the privately owned public vehicular area located at 1010 North Fayetteville Street prohibited between the hours of 7:00 o'clock p.m. and 7:00 o'clock a.m. every day of the calendar week;

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

**Section 1.** Pursuant to Section 160A-301(d) of the North Carolina General Statutes and Section 71.05 of the Code of Asheboro, the stopping, standing, or parking of vehicles within and upon the privately owned public vehicular area of the lot/parcel of land located at 1010 North Fayetteville Street (Randolph County Parcel Identification Number 7751987273) is hereby prohibited between the hours of 7:00 o'clock p.m. and 7:00 o'clock a.m. every day of the calendar week. For the limited purpose of implementing the parking prohibition prescribed by this Ordinance, the public vehicular area subject to this prohibition shall not be deemed to include the wash bays, wash bay lanes, and the area immediately adjoining vacuum cleaning units that function and are in fact used, as designed and intended, as integral components of the car wash business located on the parcel of land.

**Section 2.** The number and type of signs necessary to lawfully implement the provisions of this Ordinance shall be erected and/or installed in a manner to be determined by the Chief of Police or his designee, and the entirety of the cost of erecting and/or installing the signs deemed necessary by the Chief of Police or his designee shall be the responsibility of the property owner. The cost of installing the requisite signage shall be determined in accordance with the standard fees charged by the City of Asheboro Public Works Division for such signage, and this signage shall not be installed until payment has been received in full.

**Section 3.** The city clerk shall list in Schedule 17 of Section 72.02 of the Code of Asheboro the parking restriction imposed by this Ordinance, specifically including the time period when parking is prohibited and a description of the public vehicular area subject to the said parking restriction.



officer's release of any Financing Documents for delivery constituting evidence of such officer's final approval of the documents' final form.

**Section 4.** The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

**Section 5.** In addition to the above-referenced and previously adopted Resolution of Intent (Resolution Number 19 RES 7-14), the City intends that the adoption of this Resolution will be a continuing declaration of the City's official intent to reimburse expenditures for the Project that is to be financed from the proceeds of the BB&T financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City's General Fund, or any other fund related to the Project, for Project costs may be reimbursed from financing proceeds.

**Section 6.** All prior actions of City officers in furtherance of the purposes of this Resolution are hereby ratified, approved, and confirmed. All other resolutions (or parts thereof) in conflict with this Resolution are hereby repealed to the extent of any such conflict. This Resolution shall take effect immediately.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting of the governing board that was held on the 7<sup>th</sup> day of May, 2015.

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

ATTEST:

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

**4. Announcement of city departments that received safety awards for 2014.**

Mr. Steve Paye, Safety Coordinator, announced that eight (8) city departments received safety awards for the 2014 calendar year. The departments that received awards include, but are not limited to, the Police Department, Wastewater Treatment Plant, Fleet Maintenance, and Public Works/Operations, Water/Sewer Maintenance, Environmental Services, and Administration.

**5. Community Development Division Items:**

**(a) Subdivision Case SUB-15-01: Preliminary Plat Review for Olde Towne Village Phase III.**

Mr. Nuttall presented the preliminary plat for Olde Towne Village (Phase III). Carolina Bank requested the approval of a subdivision consisting of 5 lots plus common area with an average lot size of 3,503 square feet located at the southern terminus of Olde Towne Parkway. The plat submitted for approval pertains to approximately 6.03 acres of land plus a 12-acre future development area.

During his presentation, Mr. Nuttall noted that the Community Development Division staff and the Planning Board recommended granting the request. All city department comments have been addressed.

Upon motion by Mr. Bell and seconded by Ms. Carter, Council voted unanimously to approve the preliminary plat submitted for Olde Towne Village (Phase III) subdivision. Council Members Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

**(b) Subdivision Case SUB-15-02: Sketch Design Review for New Century Industrial Center.**

Mr. Nuttall presented the sketch design for New Century Industrial Center. Mr. Larry McKenzie requested the approval of an industrial center to be located along New Century Drive (south of McDowell Road, extending to Veterans Loop Road). The sketch design submitted for approval pertains to approximately 18.982 acres of land.

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

1. The proposal will extend New Century Drive approximately 1772 feet from its current terminus south of McDowell Road (adjacent to Randolph County Office Building and Randolph County Jail) to Veterans Loop Road.
2. The property is less than one mile north of the future interchange of I-73/I-74 (U.S. Highway 220 Bypass) and U.S. Highway 64 Bypass.
3. This property lies within the U.S. Highway 220 Overlay District.
4. NCDOT review and approval will be required prior to construction.
5. As specified by Article IX, Section E of the Subdivision Ordinance (Required Improvements and Design Standards – Water and Sewerage Systems), additional detail concerning utility services (i.e. water/sewer) will be required with preliminary plat.
6. Fire hydrant location(s) shall be coordinated with the Fire Department. Additional detail will be required with the preliminary plat and as each lot develops, depending on the specific use(s).

Upon motion by Mr. Moffitt and seconded by Mr. Bell, Council voted unanimously to approve, with the immediately preceding comments/conditions, the sketch design submitted for the New Century Industrial Center. Council Members Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

**(c) Consideration of applicants to fill a vacant position on the Redevelopment Commission.**

Mr. Nuttall reported that the Redevelopment Commission has reviewed information packages for individuals interested in filling a vacancy on the Redevelopment Commission. The individuals who formally expressed an interest in serving were: Jonna L. Libbert, J. Michael O'Kelley, Jr., and Delilah P. Warner.

The commission recommended the following two individuals for equal and further consideration by the city council for appointment to the unexpired term of former Redevelopment Commission Member Moore, who resigned.

Ms. Carter moved to appoint Ms. Jonna L. Libbert. Mr. Swiers seconded the motion, and Council Members Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

**(d) Report of award from North Carolina Housing Finance Agency for inclusion in 2015 Urgent Repair Program.**

Mr. Nuttall reported that the City of Asheboro has been conditionally approved to receive an amount not to exceed \$50,000 under the 2015 cycle of the Urgent Repair Program from the North Carolina Housing Financing Agency. This award will help to provide urgently needed repairs or modifications to low-income homes within the city. No action was taken by the Council on this agenda item.

**(e) Report summarizing community workshops related to the update of the Land Development Plan's maps.**

Mr. Nuttall presented to the Council a written summary of the community workshops relating to the update of the Land Development Plan's maps that were held on April 14, 2015 and on April 23, 2015. A copy of the summary submitted to the Council is on file in the City Clerk's office. No action was taken by the Council on this agenda item.

**6. Public comment period.**

Ms. Katie Snuggs, on behalf of the East Side Local Development Corporation, presented the Mayor, City Council Members, and city staff tickets to a Pre-Mother's Day Comedy Show on Saturday, May 9, 2015 at the Sunset Theatre. Mr. Tony Goldston of East Side Local Development Corporation was in attendance along with Ms. Snuggs. The City of Asheboro is also a sponsor of this event at the Sunset Theatre.

Additionally, Ms. Snuggs had positive comments about the Community Development Division's Community Workshops that were held in April.

**7. Water Resources Division Items:**

**(a) The award of a contract to the lowest responsive, responsible bidder on the Water Treatment Plant Filter Replacement Project.**

Mr. Rhoney, the city's Water Resources Director, reported that bids were received at City Hall on April 16, 2015 at 2:00 p.m. for the Water Treatment Plant Filter Replacement Project. In a written DISCUSSION OF BIDS report prepared by Mr. John C. Grey, P.E. of the Wooten Company, six (6) contractors submitted proposals on the project ranging from \$962,176.00 to \$1,543,710.00 with the lowest responsive responsible bid in the amount of \$962,176.00 from Wharton-Smith, Inc. of Charlotte, North Carolina. The report noted that the award of the contract should be contingent on approval of an award by the Division of Water Infrastructure, and the Local Government Commission.

Upon motion by Mr. Bell and seconded by Mr. Moffitt, Council voted unanimously to award the contract for the Water Treatment Plant Filter Replacement Project to Wharton-Smith, Inc. contingent on approval of an award by the Division of Water Infrastructure. Council Members Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

A copy of the written DISCUSSION OF BIDS report is on file in the City Clerk's office along with a copy of the bid tabulations.

**(b) The rejection of all bids submitted in connection with the VFD Replacement at the Wastewater Treatment Plant Nitrification Pump Station and Trickling Filter Project.**

Mr. Rhoney presented the bid summary for the VFD Replacement at the Wastewater Treatment Plant Nitrification Pump Station and Trickling Filter Project. Three (3) bids were received on April 15, 2015. The three (3) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Custom Controls Inlimited, Inc. 2600 Garner Station Blvd. Raleigh, NC 27603	\$543,000
Fortech, Inc. 2124 Wilkinson Blvd. Charlotte, NC 28208	\$586,543
Lord & Company 2100 Carolina Place Dr. Fort Mill, SC 29708	\$491,500

The budget amount for this project is \$400,000. Sturgill Engineering, PA discussed options with the apparent low bidder to bring the project within budget but could not do so without changing the scope of the project. Mr. Rhoney recommended that these bids be rejected due to the lack of available funds and requested that staff receive authorization to redefine the specifications of the project in order to bring it within available funding. Additionally, Mr. Rhoney requested that staff receive authorization to re-advertise for bids using the new specifications.

Upon motion by Mr. Bell and seconded by Ms. Carter, Council voted unanimously to reject the above-referenced bids and to rebid the project in accordance with the Water Resources Director's recommendations.

A copy of the above-referenced bid summary is on file in the City Clerk's office.

**8. Annual Report of the Asheboro Airport Authority.**

Mr. Leonard presented to Mayor Smith and the Council Members the annual report that was approved by the Asheboro Airport Authority. A copy of the report is on file in the City Clerk's office.

**9. Discussion of city council vacancy.**

After some discussion, Mr. Moffitt moved to appoint Ms. Katie L. Snuggs to fill the unexpired term of Mr. Mike Hunter who passed away on April 10, 2015. Ms. Carter seconded the motion and the Council voted unanimously to appoint Ms. Snuggs to fill the vacant seat on the City Council. Council Members Bell, Burks, Carter, Moffitt, and Swiers voted in favor of the motion.

Ms. Snuggs will be sworn in at the Council's Special Meeting on May 21, 2015.

**10. Mayor Smith announced the following upcoming events:**

- Special Council Meeting on Thursday, May 21, 2015 at 5:30 p.m. in the Council Chamber.
- Special Council Meeting (Budget Workshop) on Thursday, May 28, 2015 at 5:30 p.m. in the Council Chamber.
- Regular City Council Meeting and budget public hearing on Thursday, June 4, 2015.
- Open Rehearsal for the All America City Award Skit on Monday, June 8, 2015 at 5:30 p.m. in the Sunset Theatre.
- Special Council Meeting (Budget adoption) on Thursday, June 29, 2015 at 12:30 p.m. in the Council Chamber.
- NAACP Banquet on Saturday June 6, 2015 at 6:00 p.m. at AVS Catering & Banquet Center.

There being no further business, the meeting was adjourned at 8:05 p.m.

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Holly H. Doerr, CMC, NCCMC, City Clerk

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David H. Smith, Mayor

**AMENDED NOTICE OF A SPECIAL MEETING  
OF THE ASHEBORO CITY COUNCIL**

**Thursday, May 21, 2015**

**5:30 p.m.**

Notice is hereby given of a special meeting of the Asheboro City Council that will begin at 5:30 p.m. on Thursday, May 21, 2015, in the Asheboro City Hall Council Chamber, 146 North Church Street, Asheboro, North Carolina 27203. During this special meeting, the following agenda items will be brought before the City Council:

1. Ms. Katie L. Snuggs will take and subscribe before the city clerk the oath of office for a City of Asheboro Council Member.
2. The City Council will consider declaring the city-owned real property at 133 West Wainman Avenue (the former location of the Asheboro Senior Center) to be surplus property and authorizing the disposal of the property by means of the negotiated offer, advertisement, and upset bid process.
3. The City Council will receive an update on potential uses for the former Asheboro Hosiery Mills/Cranford Industries property purchased by the city in September 2014.
4. Mayor Smith and the Council Members will receive an update on the city's health insurance program.
5. Mayor Smith and the Council Members will receive a report on research conducted by city staff members of municipal services that may be offered in support of proposed county landfill operations.

This amended notice is issued on the 18<sup>th</sup> day of May, 2015.

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

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**SPECIAL MEETING  
ASHEBORO CITY COUNCIL  
CITY COUNCIL CHAMBER, MUNICIPAL BUILDING  
THURSDAY, MAY 21, 2015  
5:30 p.m.**

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

David H. Smith ) – Mayor Presiding

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

John N. Ogburn, III, City Manager  
Tamela D. Garner, Permit Technician / Deputy City Clerk  
Dakota R. Gaddy, Engineering Intern  
Stacy R. Griffin, Human Resources Director  
Leigh Anna Johnson, Public Information Officer  
Michael L. Leonard, P.E., City Engineer  
Trevor L. Nuttall, Community Development Director  
Deborah P. Reaves, Finance Director  
Jonathan M. Sermon, Recreation Services Superintendent  
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. Oath of Office for New Council Member.**

Katie L. Snuggs, who was appointed by Council action during the regular May meeting of the City Council to fill the vacancy created by the death of Council Member Michael Hunter, swore to and subscribed before the deputy city clerk the following oath of office:

**OATH OF COUNCIL MEMBER**

STATE OF NORTH CAROLINA  
COUNTY OF RANDOLPH  
CITY OF ASHEBORO

I, Katie L. Snuggs, do solemnly swear that I will support, defend, and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge and perform the duties of my office as Council Member for the City of Asheboro, on which I am about to enter, according to my best skill and ability; so help me, God.

/s/ Katie L. Snuggs  
Katie L. Snuggs

Sworn to and subscribed before me this 21<sup>st</sup> day of May, 2015.

/s/ Tamela D. Garner  
Tamela D. Garner  
Deputy City Clerk  
City of Asheboro, North Carolina

**3. Disposition of surplus property at 133 West Wainman Avenue.**

Mr. Leonard utilized a visual presentation of the building at different angles on the property at 133 West Wainman Avenue (the former location of the Asheboro Senior Center) for consideration by the City Council to declare the city-owned real property to be surplus property and authorizing the disposal of the property by means of the negotiated offer, advertisement, and upset bid process.

After discussion of the presentation, Mr. Ogburn asked the council to consider taking action to authorize the sale of the above-described real property as surplus property. Upon motion by Mr. Bell and a second by Mr. Baker, Council voted unanimously to adopt the following resolution:

**RESOLUTION NUMBER 14 RES 5-15**

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

**RESOLUTION AUTHORIZING AN UPSET BID PROCESS TO DISPOSE OF THE REAL PROPERTY FORMERLY USED AS THE LOCATION FOR THE ASHEBORO SENIOR CENTER**

**WHEREAS**, the City of Asheboro (hereinafter referred to as the "City") owns certain real property that is located at 133 West Wainman Avenue, is identified by Randolph County Parcel Identification Number 7751717380, and is more specifically described by a North Carolina Non-Warranty Deed recorded in the office of the Randolph County Register of Deeds in Book of Record 2428, Page 1110; and

**WHEREAS**, the above-described property, which was formerly occupied by the Randolph County Senior Adults Association, Inc. and previously utilized for the Asheboro Senior Center, is no longer needed by the City; consequently, the property described in the immediately preceding paragraph will be hereinafter referred to as the "Surplus Property;" and

**WHEREAS**, Section 160A-269 of the North Carolina General Statutes permits the City to sell property by upset bid, after the receipt of an offer for the property; and

**WHEREAS**, the City has received an offer to purchase the Surplus Property, in the amount of seventy-five thousand and no hundredths dollars (\$75,000.00), from Schwarz & Schwarz, LLC, a North Carolina limited liability company; and

**WHEREAS**, Schwarz & Schwarz, LLC has paid to the City the required five percent (5%) deposit on the limited liability company's offer;

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

**Section 1.** The City Council hereby authorizes the sale of the Surplus Property by means of the negotiated offer, advertisement, and upset bid procedure established in Section 160A-269 of the North Carolina General Statutes.

**Section 2.** The city clerk shall cause notice of the proposed sale to be published. This notice shall describe the Surplus Property and the amount of the offer, and shall state the terms under which the offer may be upset.

**Section 3.** Persons wishing to upset the offer that has been received from Schwarz & Schwarz, LLC shall submit a sealed bid with their offer to the office of the city clerk within ten (10) calendar days after the notice of sale is published. At the conclusion of the said 10-day period, the city clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one (1) bid in the highest amount, the first such bid received by the city clerk will be the new offer.

**Section 4.** If a qualifying higher bid is received, the city clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.

**Section 5.** A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first one thousand and no hundredths dollars (\$1,000.00) of the existing offer and by not less than five percent (5%) of the remainder of the existing offer.

**Section 6.** A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder at closing.

**Section 7.** The terms of the final sale as follows:

- (a) The City Council must approve the final high offer before the sale is closed, which the Council will take action on this sale within thirty (30) calendar days after the final upset bid period has passed;
- (b) The City's ownership interest in the Surplus Property will be conveyed by means of a North Carolina Non-Warranty Deed, no other form of deed will be used by the City;
- (c) The closing on this sale must be successfully completed within thirty (30) calendar days of the date upon which the City Council approves the final high offer;
- (d) The closing attorney for this land sale will be an attorney designated in the sole and exclusive discretion of the City;
- (e) The buyer must pay with good funds at the time of closing; and
- (f) If the offer or who submitted the final high offer accepted by the City Council attempts to withdraw the offer or in some other manner fails to strictly comply with the terms of the final sale, then the deposit submitted with the bid shall be forfeited to the City.

**Section 8.** The City reserves the right to withdraw the Surplus Property from sale at any time before the final high bid is accepted, and the City further reserves the right to reject at any time all bids.

**Section 9.** If no qualifying upset bid is received within the specified time period after the initial public notice, the offer set forth above is hereby accepted, and the appropriate City officials are authorized to execute the instruments necessary to convey the Surplus Property to Schwarz & Schwarz, LLC.

This Resolution was adopted by the Asheboro City Council in open session during a special meeting of the governing board that was held on the 21<sup>st</sup> day of May, 2015.

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

ATTEST:

/s/ Tamela D. Garner  
Tamela D. Garner, Deputy City Clerk  
City of Asheboro, North Carolina

A copy of the visual presentation used by Mr. Leonard is on file in the City Clerk's office.

**4. Update on potential uses for the former Asheboro Hosiery Mills/ Cranford Industries property purchased by the city in September, 2014.**

Mr. Leonard utilized a visual presentation to facilitate a discussion regarding the property located at 133 South Church Street. Mr. Ogburn supplied other information about this property as well and after some discussion, Mayor Smith entertained a motion on the memorandum of agreement between the City of Asheboro and Jerry D. Neal regarding the potential sale of the property.

Upon a motion by Mr. Bell to approve the current Memorandum of Agreement between the City of Asheboro and Jerry D. Neal and second by Mr. Burks, Council voted unanimously to approve the following Memorandum of Agreement:

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**Prepared by: L. McKay Whatley, 19 S. Fayetteville St., Asheboro, NC 27203**

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**NORTH CAROLINA  
RANDOLPH COUNTY**

**MEMORANDUM OF AGREEMENT  
Between the City of Asheboro and Jerry D. Neal  
Regarding the Potential Sale of 133 South Church Street, Asheboro**

**WHEREAS** the City of Asheboro ("the City") is the owner of property having the Randolph County Tax Parcel ID number 7751726479, located at 133 South Church Street in the City of Asheboro; and

**Whereas** the property is a Certified Historic Structure, based upon its listing in the National Register of Historic Places (the "National Register") on December 7, 2011 as part of the **Asheboro Hosiery Mills and Cranford Furniture Company Complex**, also known as Cranford Industries and National Chair Company, a historic [hosiery mill](#) and furniture manufacturing facility (the "Historic Property") which includes the 115-foot-tall Cranford Industries smokestack as a Contributing Property ("the Smokestack"); and

**Whereas** the City received an unsolicited offer ("Current Offer") to purchase the said property from Jerry D. Neal ("Current Potential Purchaser"), with extensive experience in preserving historic industrial buildings and objects; and

**Whereas** the Current Potential Purchaser intends to rehabilitate the Historic Property in accordance with the federal historic preservation tax credit program pursuant to 36CFR Part 67 and Section 47 of the Internal Revenue Code ("Historic Tax Credit Requirements"); and

**Whereas**, before making any written offer to purchase the Historic Property the Current Potential Purchaser desired to conduct extensive due diligence examinations of the structural integrity and stability of the building and the Smokestack, a process which was initially authorized by the City on April 20, 2015 in a document entitled "Memo of Understanding: Smokestack Preservation Project" (the "Smokestack Preservation Memo"); and

**Whereas** the initial investigation by agents of the Current Potential Purchaser have revealed serious structural defects and safety issues which require immediate attention to ensure preservation of the status quo of the Historic Property pending further negotiations regarding the Current Offer;

**NOW THEREFORE**, the City and the Current Purchaser agree as follows:

- 1. Revocation of Prior Agreement.** It is hereby mutually agreed that the Smokestack Preservation Memo dated April 20, 2015, signed by the City and the Current Potential Buyer (Jerry D. Neal as CEO and Owner of Linbrook Heritage Estate) shall be immediately cancelled and revoked, and this

Memorandum of Agreement shall be substituted entirely as the current understanding between the parties.

2. **Due Diligence Period.** That the Current Potential Buyer shall have ninety (90) days to inspect, or at Buyer's expense, hiring Agents to conduct a complete and thorough examination of the current state of the building at 133 South Church Street, together with the Boiler and Electrical Rooms and the Smokestack; that said Agents shall document the conditions found and, upon request, relay such information to the City, its employees and inspectors.
3. **Repairs.** Pursuant to the inspections obtained as stated above, if any repairs are necessary, the City shall have the option of (1) completing them; (2) providing funds for their completion; (3) refusing to complete them. If City elects not to complete or provide for the completion of the repairs, then Buyer shall have the option of (1) accepting the property in its existing condition, or (2) terminating this agreement. All work which may be required to remediate and repair the Historic Property and/or Smokestack shall be performed in a good and workmanlike manner according to accepted standards and practices in the trade.
4. **Existential Threats.** In the event that the inspections obtained by the Current Potential Buyer disclose mechanical and/or structural issues that indicate fundamental concerns regarding the safety and welfare of the public, or of adjoining property owners; or that pose questions regarding the stability and architectural integrity of the Historic Property amounting to a threat to its continued existence (an "Existential Threat"), then and in that event the City and the Current Potential Buyer agree that pursuant to Articles 3D and 8 of Chapter 143 of the N.C. General Statutes, the Current Potential Buyer may, at his own expense, and contract with Agents to make such repairs as may be necessary to remediate any such Existential Threat, protect the safety and welfare of the public, and preserve the status quo of the Historic Property pending further negotiations on its purchase and sale. The City and the Current Potential Buyer agree for this purpose that any mutually agreed-upon sums expended by the Current Potential Buyer to remediate and/or correct and Existential Threat shall be considered a Lien upon the Historic Property that will be credited toward the purchase price if the Current Potential Buyer shall enter a Purchase Agreement with the City, or will be reimbursed to the Current Potential Buyer in the event the Historic Property is sold to another Potential Buyer.
5. **Reasonable Access.** The City will provide reasonable access to Buyers or Buyers' Agents and representatives for the purposes of appraisal, inspection and/or evaluation, and for the safe remediation and correction of any documented Existential Threat.
6. **Risk of Loss.** The Current Potential Buyer agrees to provide documentation to the City to prove that Buyer's Agents and workmen have sufficient insurance and resources to hold both the City and the Current Potential Buyer harmless from damages or losses caused by any actions of Buyer or his Agents. However, the risk of loss or damage by fire or other casualty shall be upon the City, subject to recapture of expenses from Buyer's insurance carriers. If the improvements or the Property are destroyed or materially damaged prior to closing, the Current Potential Buyer may terminate this Agreement by written notice delivered to the City or its Agent.
7. **RIGHT OF FIRST REFUSAL.** Subject to the requirements of Article 12 of Chapter 160A of the North Carolina General Statutes, the City agrees to give the Current Potential Buyer the right of first refusal to purchase the Historic Property described above, on terms to be determined after the Due Diligence Period. At any time in the future when the aforesaid land is to be sold, the City shall first offer the same in writing to the Current Potential Buyer, for his consideration for a period of fifteen (15) days, within which Buyer shall in writing accept or reject the offer of sale upon the terms and conditions stated in the notice. Buyer shall have up to sixty (60) days to close the purchase in the event he elects to exercise his right to buy. In the event Buyer does not respond within the allotted time, Seller shall be free to sell upon the same terms and conditions to any other party of his choice, but in no event shall Seller sell said land to another party under more favorable terms of sale. This right of first refusal shall be continuing in nature and the Buyer shall be entitled to notification of any offers of different price and/or terms for which the land is being offered by sale by the City.
8. **ENTIRE AGREEMENT.** This contract contains the entire agreement of the parties, and all changes, additions or deletions hereto must be in writing and initialed by all parties. The contract shall be binding upon and shall inure to the benefit of the parties, their heirs, successors and assigns. This offer shall become a binding contract when signed by both parties.

**IN TESTIMONY WHEREOF**, the said parties have executed this contract in duplicate originals, one of which is retained by each of the parties hereto, the day and year first above written.

**The City of Asheboro, by:**

\_\_\_\_\_  
Mayor (SEAL)

\_\_\_\_\_  
Manager (SEAL)

**Current Potential Buyer:**

\_\_\_\_\_  
Jerry D. Neal (SEAL)

A copy of the visual presentation used by Mr. Leonard is on file in the City Clerk's office.

**5. Update on the city's health insurance program.**

Michael Cornwell, CHFC Director, Sales and Underwriting for Medcost Benefit Services presented a self funding review of the City of Asheboro medical and prescription annual plan cost per employee from plan year ending June, 2010 thru plan year ending June, 2014 compared to the 2013 National average along with information on Annual Liability verses Annual Plan Cost. He also included a cost band breakdown and detail showing the claimants and percentages that were paid out comparing prior plan year-to-date and current plan year-to-date and an annual claims comparison.

Ms. Griffin presented a Health Plan – Plan of Action for 2015-2016 that included:

- (a) Educating employees on the cost of health care.
- (b) Assessing Health Clinic Function.
- (c) Beginning the process of creating a strategic wellness initiative.

There are to be employee meetings about the Health Plan starting the first week in June, 2015.

Mr. Ogburn spoke on these presentations, and there was a discussion in which Council members had positive comments concerning the plan of action and the health clinic and staff. No action was taken on this agenda item by the Council.

A copy of the presentations by Mr. Cornwell and Ms. Griffin are on file in the City Clerk's office.

**6. Report on research conducted by city staff members of municipal services that may be offered in support of proposed county landfill operations.**

Mr. Leonard utilized a visual presentation of the Turkey Run landfill in Hogansville, Georgia, that staff had visited in March, 2015 showing different areas of the landfill and how the landfill was maintained. This landfill is operated by a company known as Waste Management, and this company is the same corporate entity selected by Randolph County to manage the proposed landfill operation in this county.

One of the focal points for staff research is the treatment of leachate coming off the landfill. Mr. Leonard's presentation explained how staff observed wells placed at points throughout the Turkey Run landfill to collect runoff. The leachate collected from various areas throughout the landfill is pumped to a large storage tank and then released at a controlled rate into the wastewater collection and treatment system that serves the landfill.

Staff reported observing industrial growth directly adjacent to the landfill property.

Within the landfill itself, cells are filled with refuse to predetermined heights. When a cell is filled to its maximum capacity, the cell is then capped with a liner and covered with earth at which time rainfall is diverted to storm water and no longer infiltrates the landfill. Multiple storm water ponds collect runoff and act as wetland buffers before it leaves the landfill site.

With regard to the proposed Randolph County Landfill, the proposed utilities are as follows:

- (a) Water services will be supplied to the proposed site from new lines running down Old Cedar Falls Road to Foxworth Road to an existing line located on Loflin Pond Road; and
- (b) Sewer will be pumped from a proposed City maintained lift station on the site to Henley Country Road and then to an existing lift station on Old Cedar Falls Road.

The first 10-year permit for the Randolph County Landfill is proposed to allow a maximum of 7 cells with an expected maximum runoff averaging 37,000 gpd.

Staff is currently still investigating the types of leachate that may occur from the runoff of the proposed landfill and how it can be treated at the city's wastewater treatment plant. An update will be given when more information is available.

A copy of the visual presentation used by Mr. Leonard is on file in the City Clerk's Office.

This was followed by a discussion of the presentation and the growth in the surrounding area. No action was taken by the Council on this agenda item.

There being no further business the meeting was adjourned at 7:15 p.m.

\_\_\_\_\_  
Tamela D. Garner, Deputy City Clerk

\_\_\_\_\_  
David H. Smith, Mayor

**RESOLUTION NUMBER \_\_\_\_\_**

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

**RESOLUTION SUPPORTING THE CONNECT NC BOND PACKAGE**

**WHEREAS**, the travel and tourism industry is a vital component of the economic stability found in North Carolina and the City of Asheboro as evidenced by the fact that the benefits of tourism touch all 100 of the state's counties, including all nine of the municipalities in Randolph County; and

**WHEREAS**, citizens of Asheboro were instrumental in the creation of the North Carolina Zoological Park, the first state zoo in the country; and

**WHEREAS**, the Asheboro community-at-large has supported the North Carolina Zoo in becoming the world's largest natural habitat zoo; and

**WHEREAS**, the Zoo provides 750,000 visitors each year with a one-of-a-kind experience that generates an annual economic impact of \$150,000,000 which includes \$8,000,000 in state and local taxes that cannot be exported; and

**WHEREAS**, one in five of North Carolina's children experience hands-on, nature-based educational opportunities free of charge at the Zoo each year; and

**WHEREAS**, the Zoo is making strides in innovative technology to save wildlife with conservation programs that are local and global in scope; and

**WHEREAS**, tourism is North Carolina's second largest industry generating \$21,300,000,000 in visitor spending, directly supporting 204,832 jobs for North Carolina residents, contributing \$4,900,000,000 to the state's payroll, \$3,200,000,000 in tax receipts, and ranking North Carolina sixth in total person-trip volume by state in 2014; and

**WHEREAS**, tourism in the Piedmont Triad region generates \$1,400,000,000 in visitor spending, 14,084 jobs, and a payroll of \$310,100,000 in 2013; and

**WHEREAS**, the City of Asheboro, through its partnership with the Heart of North Carolina Visitors Bureau, promotes the Zoo as a premier visitor attraction; and

**WHEREAS**, Randolph County's travel and tourism industry has experienced significant growth generating \$124,530,000 in visitor spending, directly supporting 1,056 jobs with a payroll of \$18,500,000 and \$9,300,000 in local and state tax receipts in 2013; and

**WHEREAS**, the Zoo has developed a vision plan that meets the challenge of doubling the Zoo's attendance and economic impact, as well as increasing its educational impact, to become an innovative science-based leader in saving wildlife and wild places; and

**WHEREAS**, Governor McCrory has included \$45,000,000 in his Connect NC bond package for the launch phase of the Zoo's vision plan, which will replace the aging African Pavilion with an Australasia-themed complex to include tigers, orangutans, Komodo dragons, kangaroos, and tropical birds – a strategic investment in the Zoo's infrastructure that will cultivate a stronger economy for the City of Asheboro and State of North Carolina without the burden of a tax increase on citizens;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro, North Carolina that the City of Asheboro, by and through its governing board, supports the Governor's bond proposal and urges the General Assembly to hold a bond referendum as soon as possible to take advantage of current low interest rates so that the State of North Carolina can make this significant investment in the North Carolina Zoo.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 4<sup>th</sup> day of June, 2015.

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

ATTEST:

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



**SUP-15-03 Special Use Permit for a Manufactured Home Park**

(Allen L. Callicutt: Oak Meadows Mobile Home Park (Cedar Road))

**Staff Report**

# SPECIAL USE PERMIT STAFF REPORT

SUP Case No. SUP-15-03

6/4/2015

## General Information

**Applicant** Allen L. Callicutt

**Address** 2686 NC Hwy. 134

**City** Asheboro NC 27205

**Phone** 336-629-9723

**Location** 2075 Cedar Road

**Requested Action** Special Use Permit for Manufactured Home Park

**Existing Zone** RA6 (High Density Residential)      **Existing Land Use** Manufactured Home Park  
**Size** 7,158 square feet of 13.6 acres (+/-)      **Pin #** 7762495747

### Applicants Reason as stated on application

Conversion of "Laundry Site" as shown on the "Oak Meadows" Mobile Home Park Site Plan into a lease lot consistent with the other lease lots on the site.

## Surrounding Land Use

**North** Manufacturing home      **East** Manufactured Home Park

**South** Single-/Two-/Multi-family residential      **West** Manufacturing home park/undeveloped

**Zoning History** SUP-87-02: Original Special Use Permit granted.  
SUP-91-01: Amended an existing SUP (7-12-90) to allow closure of Lakeview Road entrance to Manufactured Home Park.

**Growth Strategy Map** Primary Growth

**Proposed LDP Map** Urban Residential

### Legal Description

The property of Allen L. Callicutt, Trustees, located at the northeastern terminus of Cedar Road, and extending along the northwest side of Lakeview Road, between 1971 and 1977 Lakeview Road. The property totals approximately 13.6 acres (+/-) and is more specifically identified by Randolph County Parcel Identification Number 7762495747.

### Analysis

1. The request is for a Special Use Permit authorizing a Manufactured Home Park. A Special Use Permit, issued in 1990, currently exists for a Manufactured Home Park consisting of 49 spaces.
2. The applicant wishes to replace the existing laundry facility site (7,158 sq. ft.) with one leased lot for a manufactured home.
3. Section 606C of the Asheboro Zoning Ordinance states that "an increase in number of dwelling or lodging units" is considered a modification of a Special Use Permit, which requires the approval of City Council and is handled as a new Special Use Permit application.
4. There are certain legal non-conforming situations that exist on the property. Section 637.5 allows non conforming situations to continue under certain conditions. This is described in detail on page three (3) of this report.
5. A 100 year floodplain is located along the northern boundary of this property, away from any proposed development activity (Hasketts Creek).
6. The entrance into the development is from Cedar Road. A secondary entrance, which is gated, exists on Lakeview Road.

## LDP Conformity Issues

# SPECIAL USE PERMIT STAFF REPORT

SUP Case No. SUP-15-03

Page 2

**NOTE: Applicant shall certify to Council mailings to all adjoining property owners.**

## Staff Comments

**NOTE: If any Special Use is discontinued for a period of 180 days; or the permit is not initiated within 180 days; or replaced by a use otherwise permitted in the zoning district, it shall be deemed abandoned and the Special Use Permit shall be null and void and of no effect.**

### Suggested Conditions

#### **DRAFT CONDITIONS PROPOSED BY CITY STAFF AS OF 5-27-15:**

(A) Consistent with Appendix D of the North Carolina Fire Prevention Code (Fire Apparatus Access Roads), the secondary entrance at Lakeview Road shall be accessible by emergency services personnel at all times.

(B) Privately maintained streets shall be maintained in accordance with the North Carolina Fire Prevention Code.

(C) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute, and deliver to the Zoning Administrator for recordation in the office of the Randolph County Register of Deeds a Memorandum of Land Use Restrictions prepared by the City Attorney for the purpose of placing notice of the conditions attached to this Special Use Permit in the chain of title for the Zoning Lot.

# SPECIAL USE PERMIT STAFF REPORT

SUP No. SUP-15-03

Page 3

## For Special Use Permit Hearings:

The following tests shall be found in favor of the applicant by the City Council.

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.
2. That the use meets all required conditions and specifications of the Asheboro Zoning Ordinance.
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and,
4. That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Asheboro and its environs.

## SUP Requirements

Article 600, Section 629 of the zoning ordinance contains the Special Use Permit requirements for a manufactured home park. This section is attached. In addition, Article 600, Section 637.5 allows property to be used for a conforming use without correcting an existing nonconforming situation(s). The non-conforming situations contained on the property include the lack of a completed engineering study ensuring post development runoff of stormwater (Section 629.3) does not exceed predevelopment conditions and mandating stormwater controls to reduce runoff during a 10 year storm to predevelopment rates\*, the required 22' roadway width of Section 629.8 (the private roadway is currently 20')\*, and the separate area for recreational vehicle parking required by Section 629.21.

At the time the Special Use Permit (SUP) for the existing development was granted, these were not requirements, therefore, while the existing manufactured home park is a conforming use, these are non-conforming situations.

In addition to the four above tests being found in favor of the applicant by the City Council, the Council may issue a Special Use Permit to allow property to be used for a conforming use without requiring correction of an existing nonconforming situation, if the following findings are made:

- (a) The nonconforming situation cannot be corrected without undue hardship or expense;
- (b) The nonconforming situation is of a minor nature that does not adversely affect the surrounding property, or the general public, to any significant extent.

In addition, Section 803.4 permits an increase in the intensity of property in which a nonconforming situation exists if these changes are related to the degree of activity rather than changes in kind and no violations of subsection 803 (Extension or Enlargement of Nonconforming Situations) occur.

Please note that when requirements of NC Department of Environment and Natural Resources apply, a Special Use Permit cannot waive these requirements. Also note that the NC Fire Prevention Code requires a minimum 20' wide all-weather access road to the residences, and that requirement (which is fulfilled in the property's current state) may not be waived by an SUP.

629 Manufactured Home Parks (Amended 8/2010):

Manufactured home parks may be permitted in an R40, R10, R7.5, and RA6 District, subject to the following regulations. The yard and height regulations set forth in Table 200-1 may be modified for a manufactured home park, provided that, for such development as a whole, excluding driveways and streets but including parks and other permanent open spaces, there shall not be less than the required area per dwelling unit for the district in which such development is located. (4/6/00)

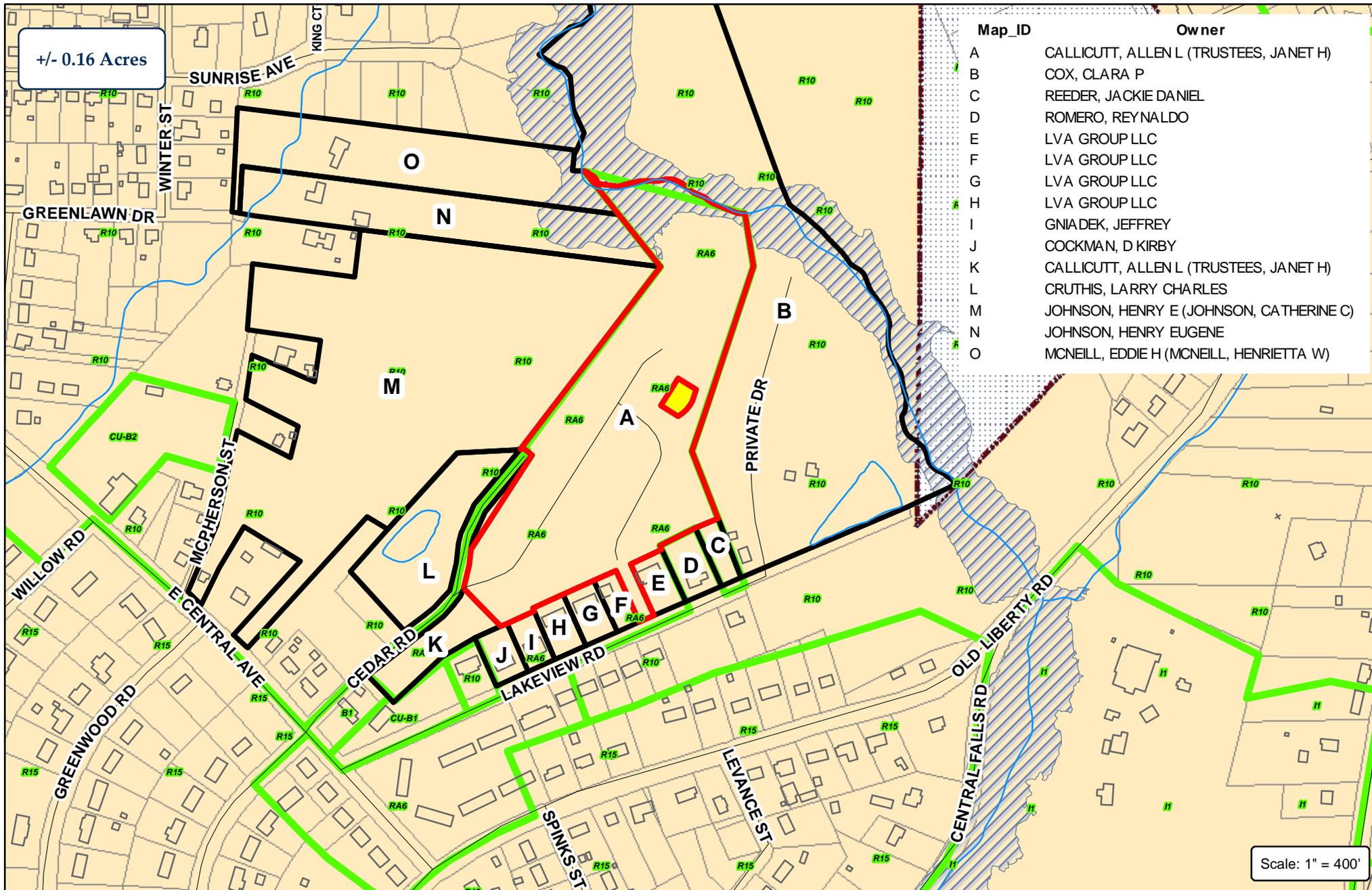
These regulations shall not apply to sales lots on which unoccupied manufactured homes are parked.

- 629.1 The minimum site area for a manufactured home park shall be one zoning lot or parcel of land containing not less than three (3) acres.
- 629.2 A manufactured home lot shall be a least sixty (60) feet in width, and shall contain at least 6,000 square feet of area.
- 629.3 An engineering study of storm water runoff shall be made. If such study indicates that post development runoff will exceed predevelopment conditions, plans for runoff control shall be designed and certified by a professional engineer. Such controls shall be designed to reduce the runoff during the occurrence of a 10 year storm to predevelopment flow rate. Prior to a Certificate of Occupancy, a Professional Engineer shall provide certification that the storm water controls were built according to the plans. The continued maintenance of all runoff control measures shall be the responsibility of the property owner.
- 629.4 Off-street parking spaces shall be provided within each manufactured home park on the ratio of at least two (2) spaces per manufactured home lot.
- 629.5 There shall be a front yard of at least twenty (20) feet between any manufactured home and the internal roadway. Where exterior property lines of the manufactured home park are coincident with public street rights-of-way, all manufactured homes and structures within the park along such rights-of-way shall observe the front yard setback from such right-of-way as required by this ordinance.
- 629.6 There shall be a side yard along each side of every manufactured home lot. Each side yard shall be at least ten (10) feet wide. The distance between manufactured homes, including any enclosed extension thereof, shall not be less than twenty (20) feet. No manufactured home shall be located closer than fifteen (15) feet to any exterior property line of the manufactured home park or to any other structure on the premises.
- 629.7 There shall be a rear yard of at least 20 feet between any manufactured home and the rear of the lot on which it is located.

- 629.8 All manufactured home lots shall abut a paved roadway of not less than 22 feet in width which shall provide unobstructed access to a public street or highway. Such roadways shall be illuminated as per city street lighting policy to ensure the safe movement of pedestrians and vehicles at night.
- 629.9 Buffering and screening shall be installed and maintained as required by Article 304A.
- 629.10 Adequate water service and sanitary and storm sewerage shall be provided for each lot. Plans for publicly maintained systems shall be designed by a registered engineer and submitted as part of the application for SUP.
- 629.11 The collection of trash and garbage and their disposal shall be provided for in such a manner as to maintain a clean and orderly appearance at all times. Plans to meet this requirement shall be submitted as part of the application for SUP.
- 629.12 Each manufactured home park shall have a minimum of five percent of the total area set aside and developed for recreational purposes. The required recreation space may include, but not be limited to a swimming pool, picnic areas with tables, basketballs goals with paved play areas, and playground(s) with play equipment. exterior areas for common passive or active recreation use; i.e, play areas for children, outdoor seating areas and the like where the facilities are available for common use by tenants and visitors. Active recreation space shall be at least 20 feet from any residential unit. If a swimming pool is provided, it shall be separated from other uses by a fence having a gate which is capable of remaining closed.
- 629.13 The required plans shall show the topography of the site at contour intervals no greater than five (5) feet; location and approximate size of all existing and proposed buildings and structures within the site; proposed points of ingress and egress together with the proposed pattern of internal circulation; location and dimensions of individual manufactured home lots; location and types of screening to be provided; and the location and size of open play space and all other accessory features customarily incident to the operation of a manufactured home park. Site plans submitted shall meet all the requirements of Section 1005 Contents of Application for Zoning Compliance Permit.
- 629.14 Manufactured home parks shall be subject to the regulations within Article 700 - Flood Damage Prevention Ordinance.
- 629.15 Signs shall be regulated by Article 500 for the district in which the park is located.

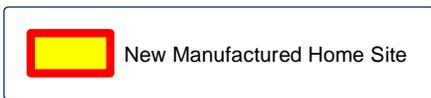
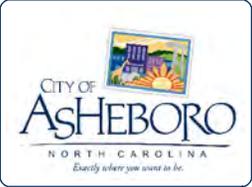
- 629.16 Manufactured homes offered for sale within the park shall not exceed 10 percent of the total approved spaces at any given time. Every manufactured home offered for sale shall be located only on an approved manufactured home space and shall be subject to the same location requirements as any home within the park. No advertising signs for manufactured home sales shall be permitted except one sign posted outside each manufactured home offered for sale. Such signs shall conform with the regulations in Article 500.
- 629.17 Accessory structures may be permitted for such uses as laundries, offices, recreation, storage, etc. However, the total gross square feet of all building area shall not exceed 5 percent of the total approved park area.
- 629.18 The park may be developed in phases. Phase 1 shall include the required amenities. No Certificate of Occupancy for any phase of the park shall be issued until all required or proposed improvements are installed for that phase and no permits to locate any home in any phase shall be issued until that phase has received a Certificate of Occupancy.
- 629.19 A fulltime on-site manager shall be provided for parks having at least 75 sites. An onsite, permanent (not manufactured) office shall be provided for the manager.
- 629.20 All manufactured homes shall conform to the “Manufactured/Mobile Home” definition as established in Article 1100.
- 629.21 A designated and separate storage area for recreational vehicles, boats, and camp travel/trailers shall provide 72 square feet for every required parking space with a minimum of 720 square feet to be provided. Such area(s) shall have screening and landscaping which is consistent with other screening for similar uses (i.e. solid waste and mechanical screening). This area may be fenced. Fencing shall comply with any applicable design standards.
- 629.22 All manufactured homes shall conform to supplemental regulations of Article 300A, Section 326A.1.

+/- 0.16 Acres

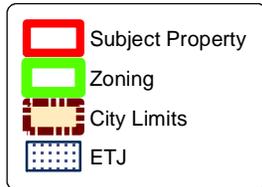


Map_ID	Owner
A	CALLICUTT, ALLEN L (TRUSTEES, JANET H)
B	COX, CLARA P
C	REEDER, JACKIE DANIEL
D	ROMERO, REYNALDO
E	LVA GROUP LLC
F	LVA GROUP LLC
G	LVA GROUP LLC
H	LVA GROUP LLC
I	GNADEK, JEFFREY
J	COCKMAN, D KIRBY
K	CALLICUTT, ALLEN L (TRUSTEES, JANET H)
L	CRUTHIS, LARRY CHARLES
M	JOHNSON, HENRY E (JOHNSON, CATHERINE C)
N	JOHNSON, HENRY EUGENE
O	MCNEILL, EDDIE H (MCNEILL, HENRIETTA W)

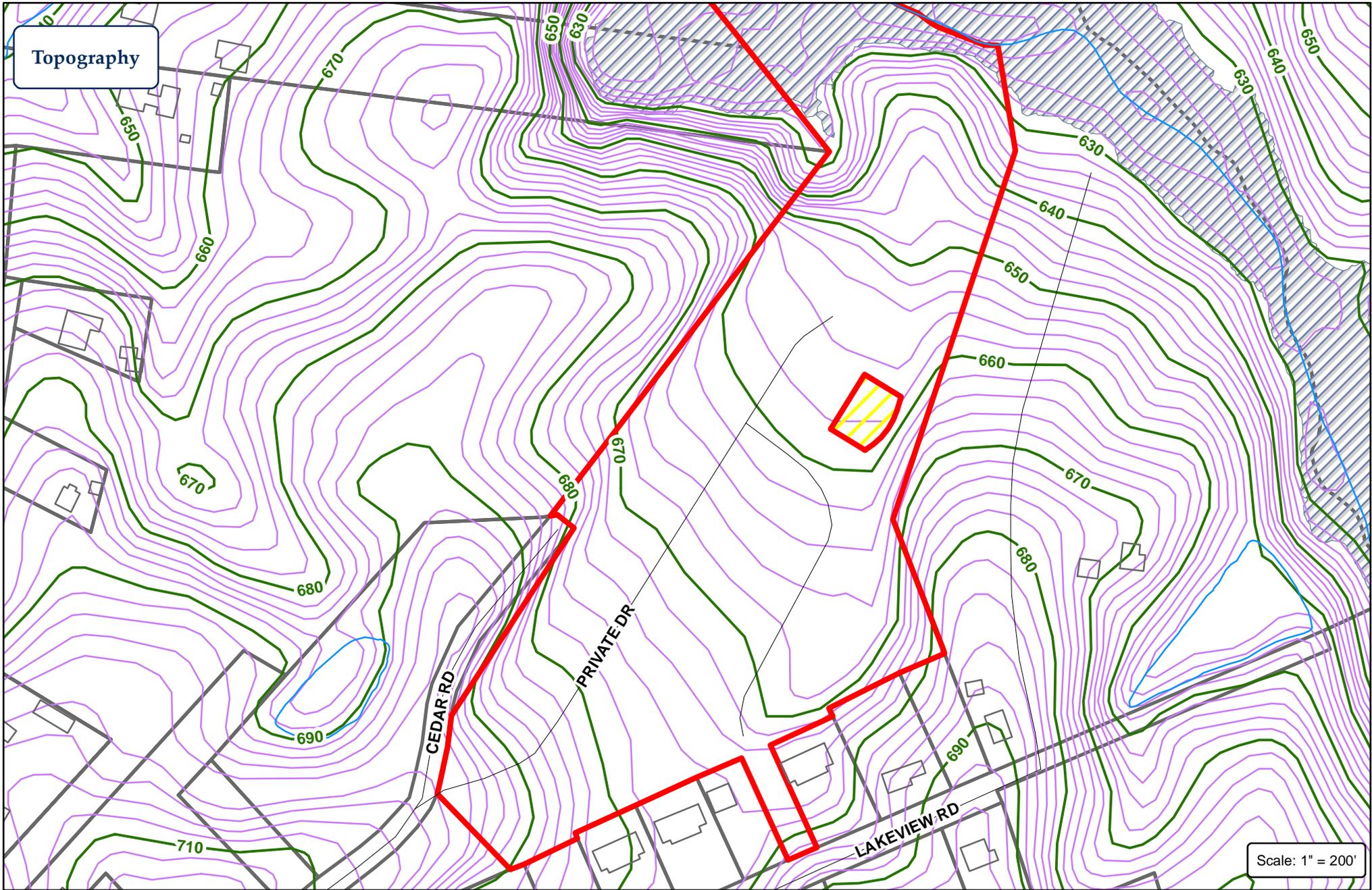
Scale: 1" = 400'



City of Asheboro  
 Planning & Zoning Department  
 Special Use Permit: SUP-15-03  
 Parcels: 7762495747



Topography



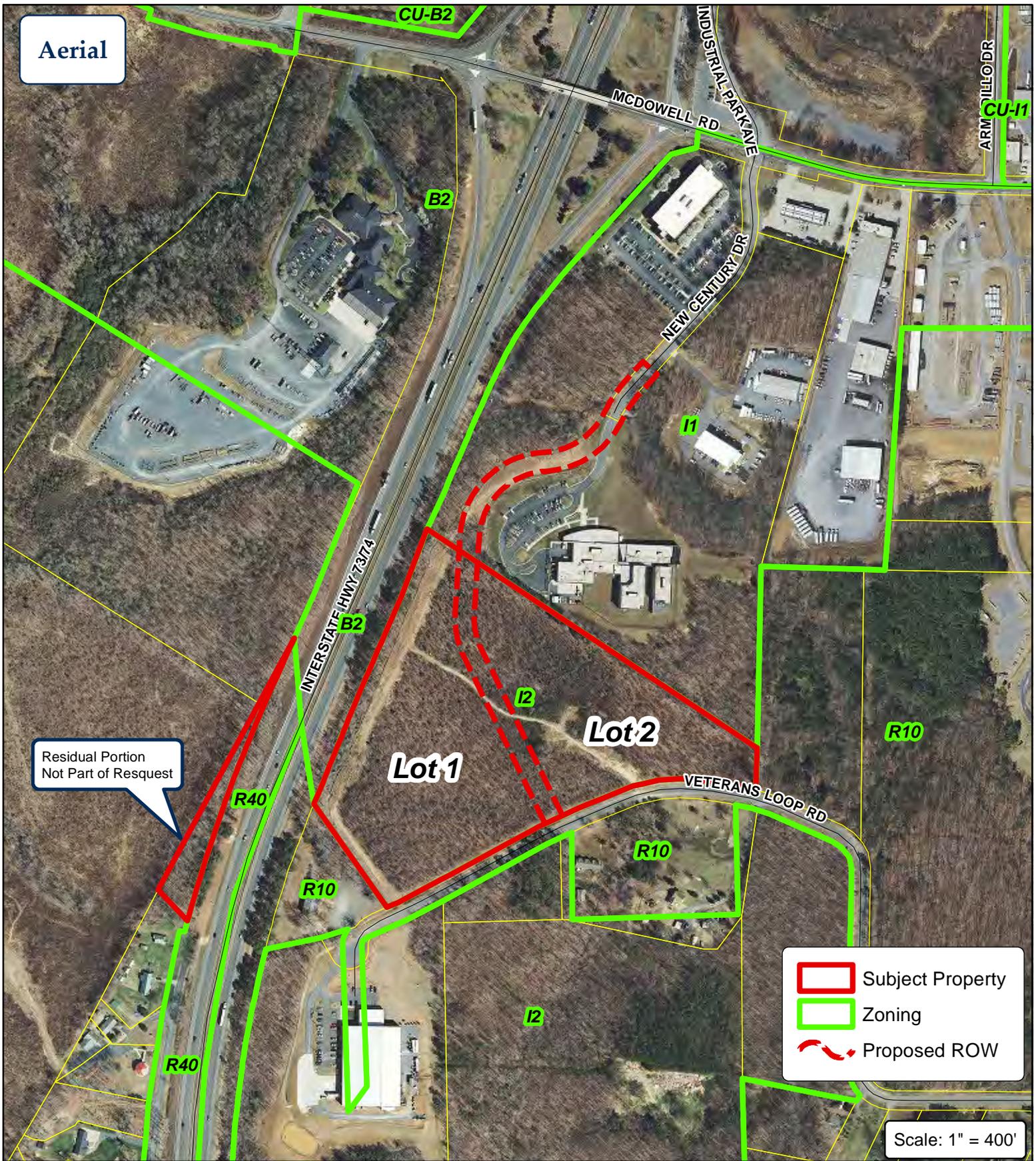
Scale: 1" = 200'



City of Asheboro  
Planning & Zoning Department  
Special Use Permit: SUP-15-03  
Parcels: 7762495747



Aerial



Residual Portion  
Not Part of Request

-  Subject Property
-  Zoning
-  Proposed ROW

Scale: 1" = 400'

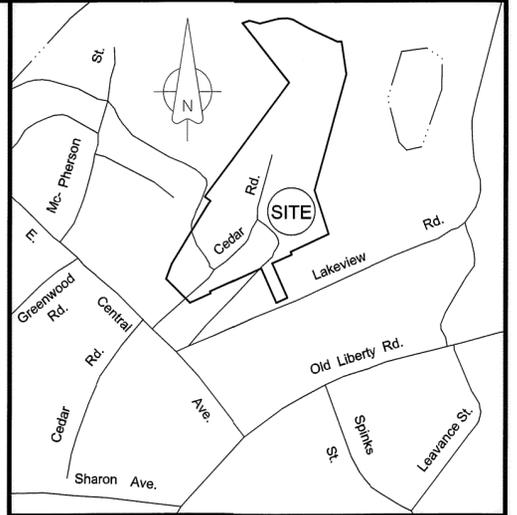
**City of Asheboro**  
**Planning & Zoning Department**  
**Subdivision Case: SUB-15-02**

**Parcel: 7659273991**

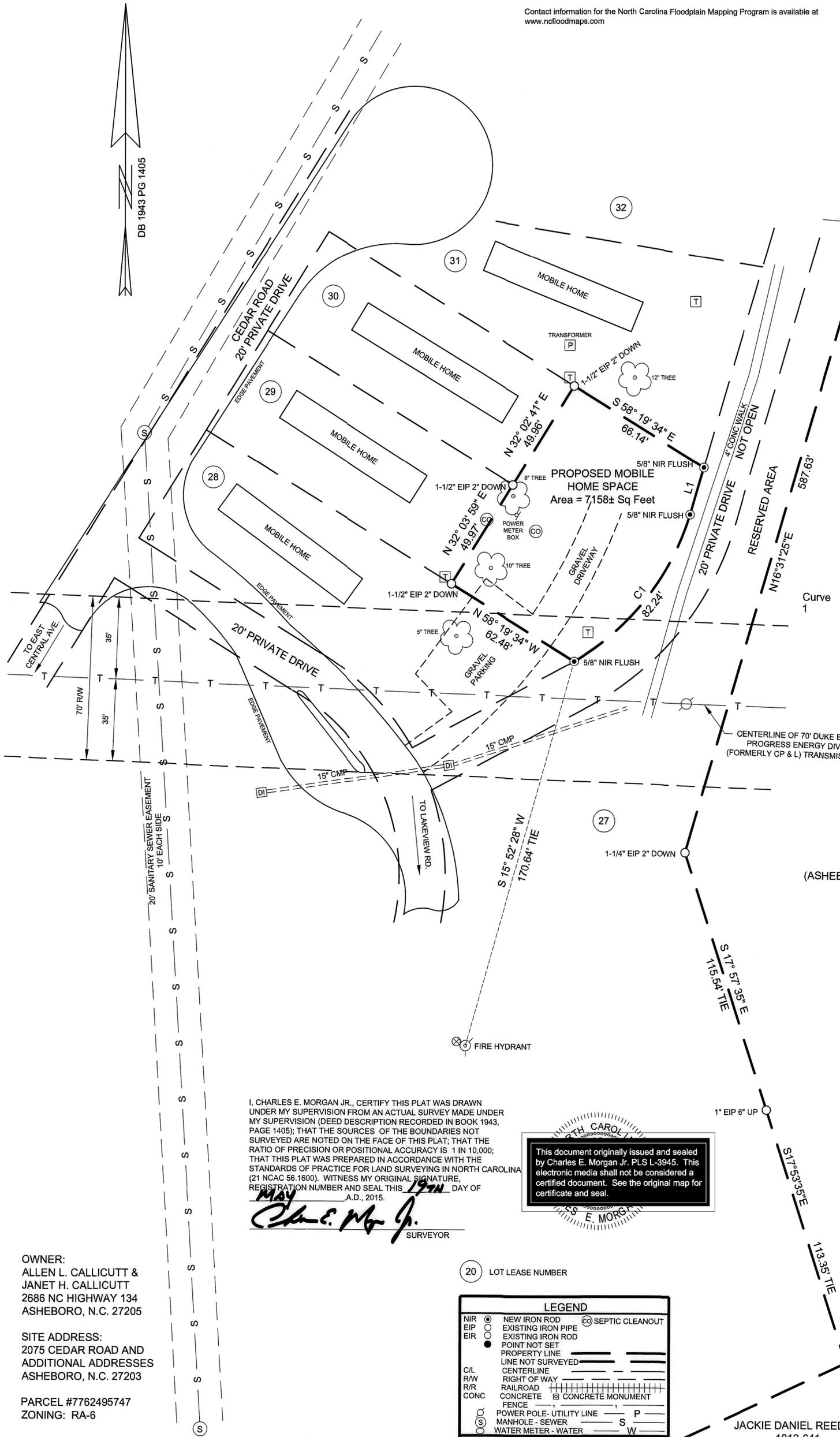


FLOOD CERTIFICATION: This property is located in a 100-year flood zone, per FIRM maps, Community Panel Number 3710776300J, dated January 2, 2008. There is an AE flood zone along the northern boundary line of the property, but no part of the flood zone is within the area shown on this plat. The flood zone in the area shown on this plat is Zone X.

Contact information for the North Carolina Floodplain Mapping Program is available at [www.ncfloodmaps.com](http://www.ncfloodmaps.com)



LOCATION MAP



Line	Bearing	Distance
1	S 16° 31' 25" W	20.96'

Curve	Radius	Arc	Chord	Chord Bearing
1	108.65	82.24	80.29	S 38° 41' 13" W

JOE R. COX  
1143-917  
(ASHEBORO MOBILE HOME PARK)

I, CHARLES E. MORGAN JR., CERTIFY THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 1943, PAGE 1405); THAT THE SOURCES OF THE BOUNDARIES NOT SURVEYED ARE NOTED ON THE FACE OF THIS PLAT; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1 IN 10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600). WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS MAY 19 2015 DAY OF MAY, A.D., 2015.

*Charles E. Morgan Jr.*  
SURVEYOR

This document originally issued and sealed by Charles E. Morgan Jr. PLS L-3945. This electronic media shall not be considered a certified document. See the original map for certificate and seal.

20 LOT LEASE NUMBER

**LEGEND**

NIR	NEW IRON ROD	SC	SEPTIC CLEANOUT
EIP	EXISTING IRON PIPE		
EIR	EXISTING IRON ROD		
	POINT NOT SET		
	PROPERTY LINE		
	LINE NOT SURVEYED		
C/L	CENTERLINE		
R/W	RIGHT OF WAY		
R/R	RAILROAD		
CONC	CONCRETE	CM	CONCRETE MONUMENT
	FENCE		
	POWER POLE - UTILITY LINE	P	
	MANHOLE - SEWER	S	
	WATER METER - WATER	W	

© 2015 CHARLIE MORGAN SURVEYING, PLLC

OWNER:  
ALLEN L. CALLICUTT &  
JANET H. CALLICUTT  
2686 NC HIGHWAY 134  
ASHEBORO, N.C. 27205

SITE ADDRESS:  
2075 CEDAR ROAD AND  
ADDITIONAL ADDRESSES  
ASHEBORO, N.C. 27203

PARCEL #7762495747  
ZONING: RA-6

**SURVEY FOR ALLEN L. CALLICUTT**

ASHEBORO TOWNSHIP  
RANDOLPH COUNTY  
NORTH CAROLINA  
DATE: MARCH 25, 2015  
REVISED: MAY 19, 2015  
SCALE: 1" = 30'  
DEED BOOK: 1943 PAGE: 1405



CHARLIE MORGAN SURVEYING, PLLC  
154-B S. FAYETTEVILLE ST.  
ASHEBORO, N.C. 27203  
(336)629-5015 P-1147  
JOB #7147 C 10

JACKIE DANIEL REEDER  
1812-641



**SUB-15-02: Preliminary Plat**

(New Century Industrial Center: Larry McKenzie)

**Staff Report**

**SUBDIVISION STAFF REPORT**  
Preliminary Plat

**CASE #** SUB-15-02

**Date** 6/1/15 PB, 6/4/15 CC

**GENERAL INFORMATION**

**Subdivision Name** New Century Industrial Center  
**Requested Action** Subdivision Preliminary Plat  
**Applicant** Mr. Larry McKenzie  
**Address** 126 Lanier Avenue  
**Phone** 336-953-2913  
**Location** New Century Drive (south of McDowell Road, extending to Veterans Loop Road)

**PARCEL INFORMATION**

**PIN** 7659273991 (portion east of I-73/I-74) and 7659288862

**Size** 18.982 acres (+/-)      **Number of Lots** 2 + residual (existing) lot

**Existing Zoning** I2 (subject) /I1(residual)      **Average Lot Size** 8.96 acres

**Existing Land Use** Undeveloped/Public Use facility (on residual portion)

**Surrounding Land Use**

**North** Public Use Facility (PART)

**East** Low-density residential

**South** Industrial

**West** I-73/I-74/US Hwy. 220 Bypass

**LAND DEVELOPMENT PLAN**

**Growth Strategy Map** Economic Development

**Proposed Land Use Map** Industrial

**Small Area Plan Map** Southeast

**Identified Activity Center?** No

**Development Issues** The proposal will extend New Century Drive approximately 1772 feet from its current terminus south of McDowell Road (adjacent to Randolph County Office Building and Randolph County Jail) to Veterans Loop Road.

The property is less than one mile north of the future interchange of I-73/I-74 (US Hwy. 220 Bypass) and US Hwy. 64 Bypass.

This property lies within the US Hwy. 220 Overlay District.

NCDOT review and approval will be required prior to construction.

**SUBDIVISION STAFF REPORT**  
Preliminary Plat

**DEPARTMENT COMMENTS**

**Engineering**      Plat comments have been addressed.

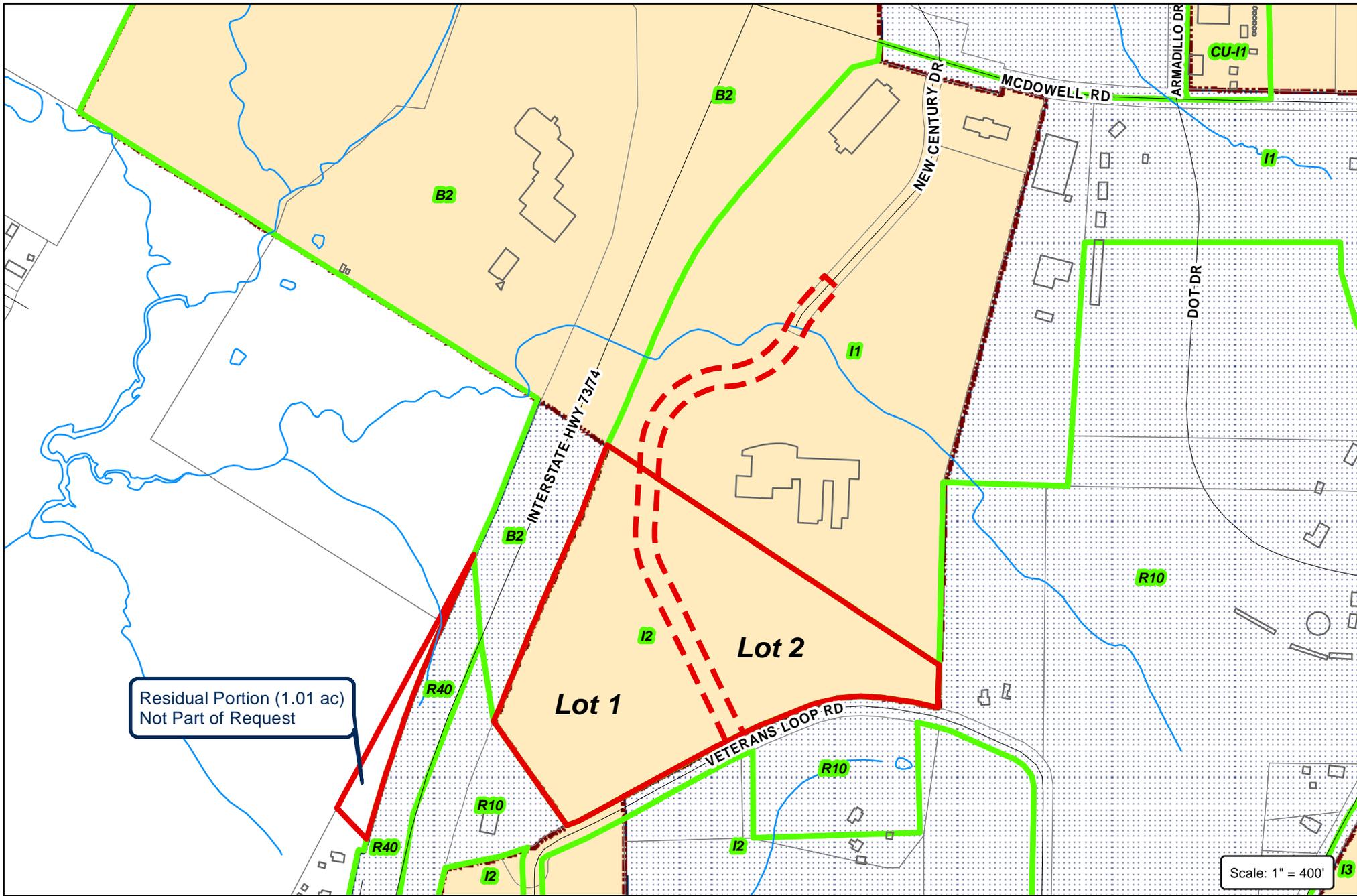
**Public Works**      Plat comments have been addressed.

**Planning**      Plat comments have been addressed.

**Other**      A fire hydrant is shown east of New Century Drive on the north side of the property. Specific use(s) may incur additional hydrant(s) and/or other requirements.

**Staff Recommendation**      Approve noting above comments.

**Planning Board Recommendation**      The Planning Board will consider this request during its June 1, 2015 meeting.



Residual Portion (1.01 ac)  
Not Part of Request

Scale: 1" = 400'

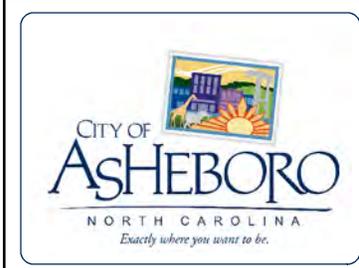
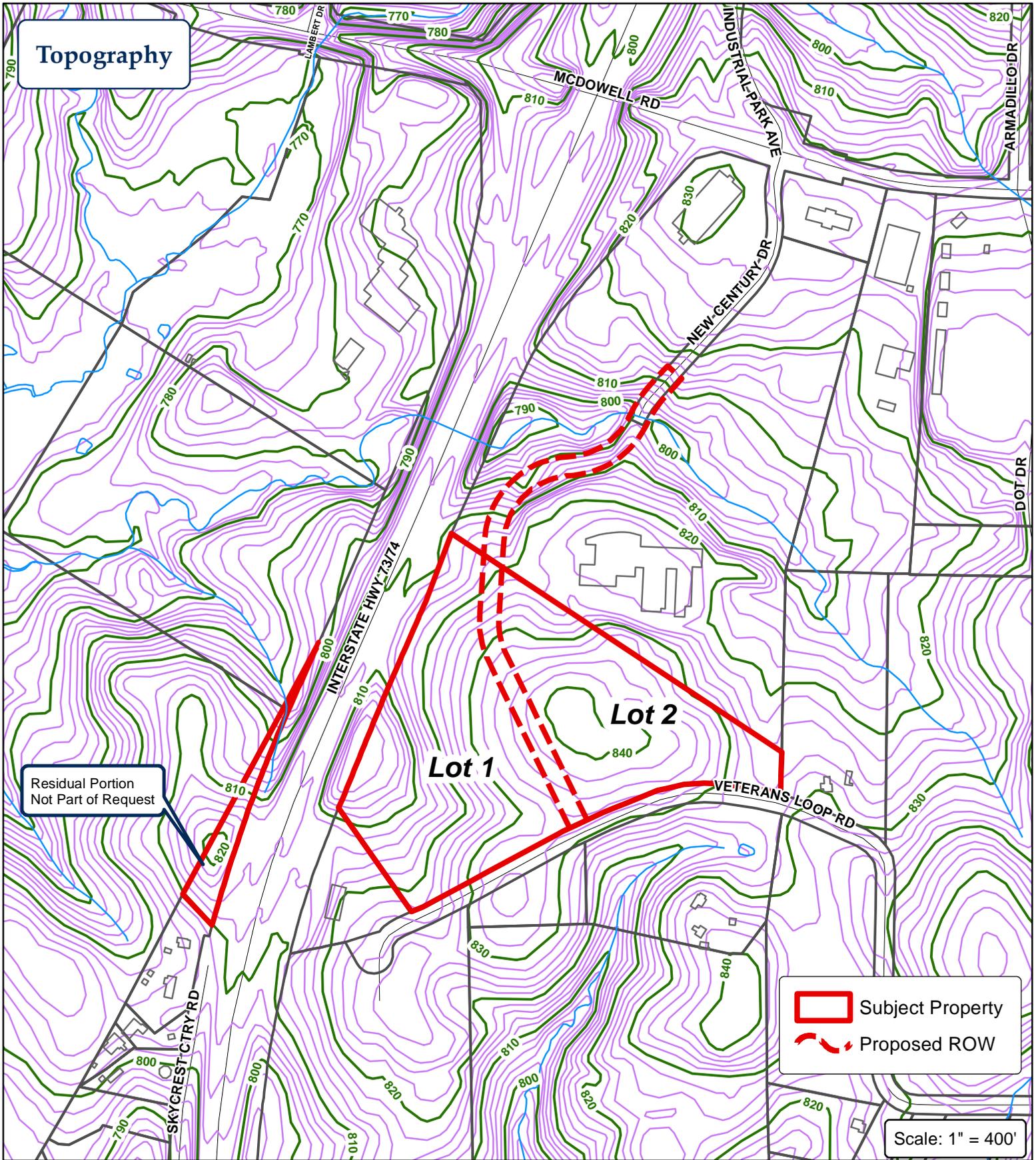


Proposed  
New Century Drive  
Extension

City of Asheboro  
Planning & Zoning Department  
Subdivision Case: SUB-15-02  
Parcel: 7659273991

- Subject Property
- Zoning
- City Limits
- ETJ

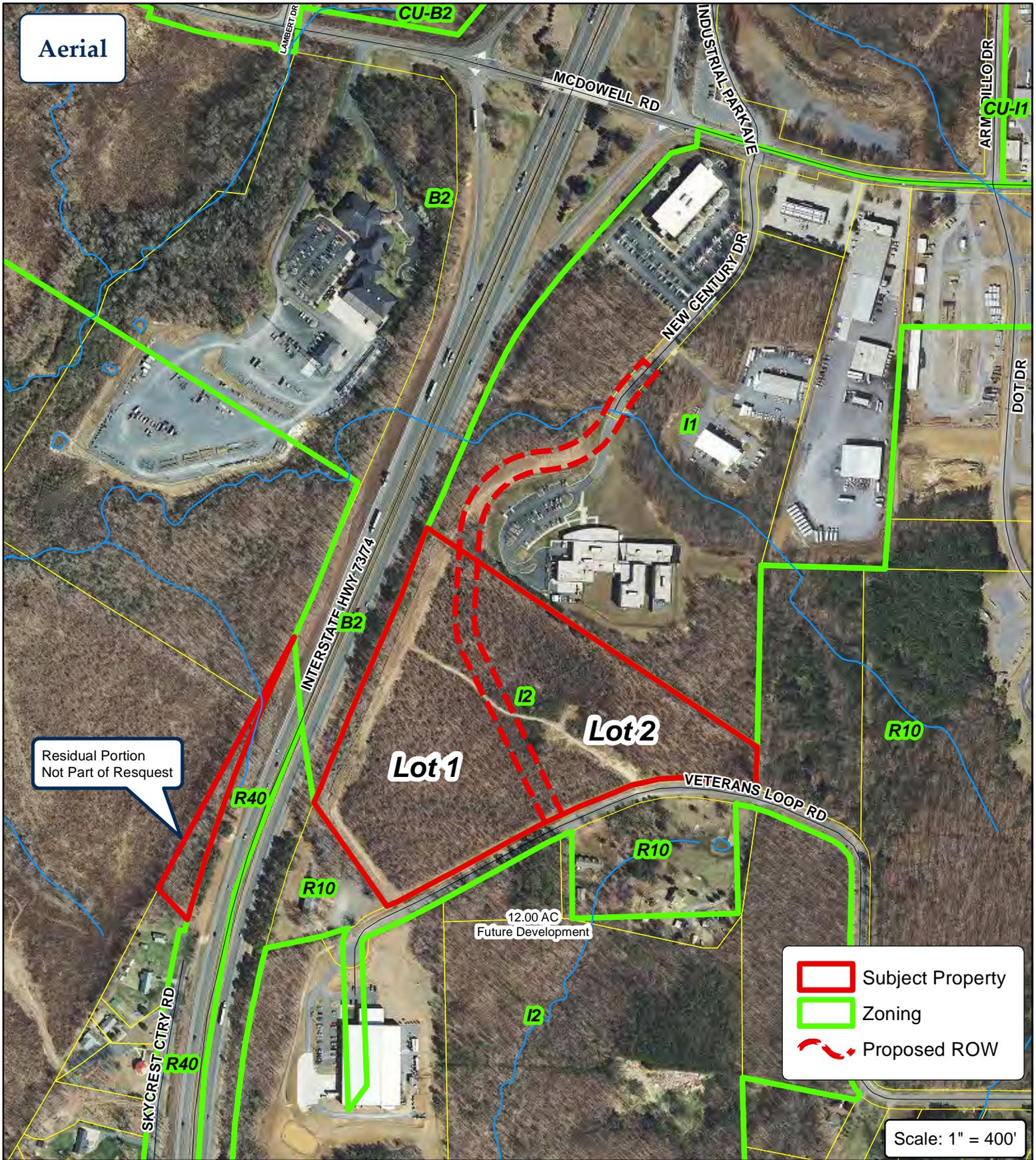




**City of Asheboro  
 Planning & Zoning Department  
 Subdivision Case: SUB-15-02**

**Parcels: 7659273991**

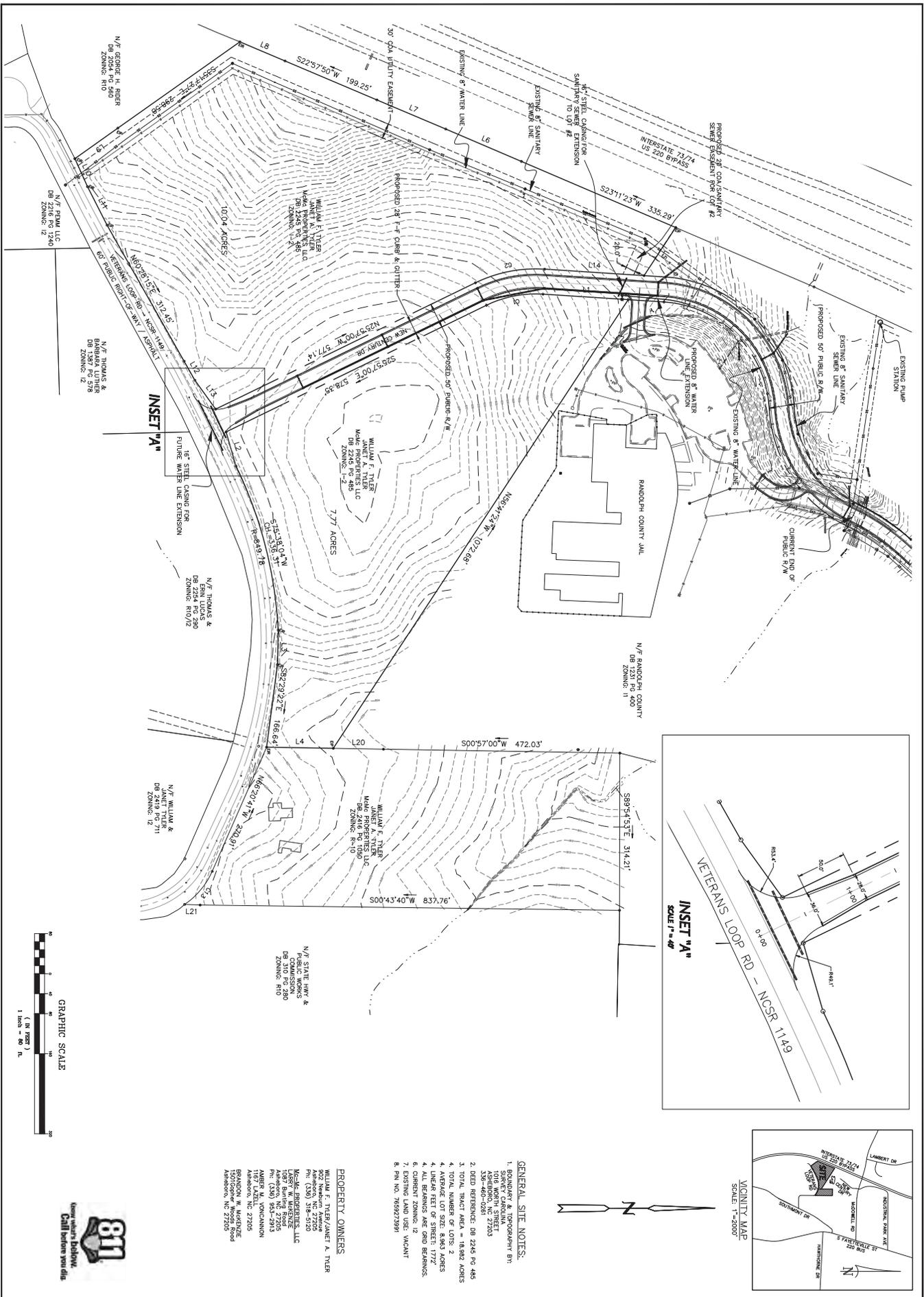




**City of Asheboro**  
**Planning & Zoning Department**  
**Subdivision Case: SUB-15-02**

**Parcel: 7659273991**



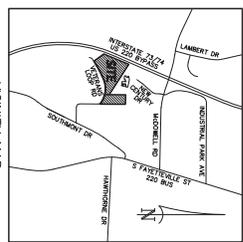
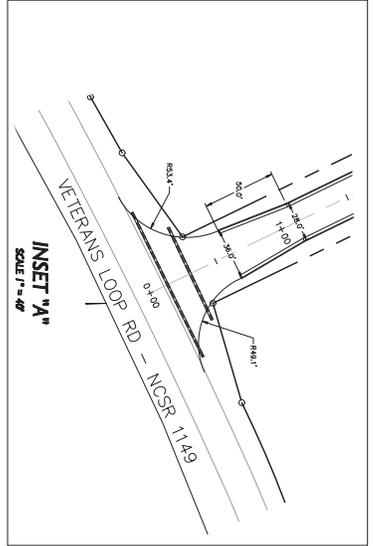


GRAPHIC SCALE  
(IN FEET)  
1 inch = 80 ft.



**PROPERTY OWNERS**  
 WILLIAM F. TYLER/JANET A. TYLER  
 1087 Burning Ridge  
 Mooresville, NC 27055  
 Pk. (336) 954-2913  
 AMBERLY M. VONCANNON  
 Asheville, NC 27205  
 BRANDON W. MASERIEZE  
 Asheville, NC 27205

- GENERAL SITE NOTES:**
- BOUNDARY & TOPOGRAPHY BY SURVEY CORONA ASHEBORO, NC 27203 336-460-0261
  - DEED REFERENCE: DB 2248 PG 485
  - TOTAL TRACT AREA: 176.892 ACRES
  - TOTAL TRACT AREA: 107.7 ACRES
  - AVERAGE LOT SIZE: 8.661 ACRES
  - LINEAR FEET OF STREET: 1772'
  - ALL BEARINGS ARE GRID BEARINGS.
  - CURRENT ZONING: IZ
  - EXISTING LAND USE: VACANT
  - FIN. NO. 0659272990



**OVERALL SITE PLAN**  
**NEW CENTURY INDUSTRIAL CENTER**  
 NEW CENTURY ROAD, ASHEBORO, NC 27205  
 RANDOLPH COUNTY - ASHEBORO - NORTH CAROLINA

No.	Date	Description	By

**Summey Engineering Associates, PLLC**  
 Engineering - Land Planning - Consulting  
 PO Box 940  
 Asheville, NC 27204  
 Phone: 336-252-0922 Fax: 336-252-0922  
 Email: mca@seasumey.com



Scale: 1" = 80'  
 Date: MAR. 2015  
 Drawn By: JPT  
 Checked By: HWS  
 Job No: 1504  
 2 of 11

**RESOLUTION AUTHORIZING THE CITY OF ASHEBORO TO SUBMIT AN APPLICATION FOR FUNDING FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE TECHNIMARK RAIL PROJECT**

**WHEREAS**, the Asheboro City Council has previously indicated its desire to assist in economic development efforts within the City; and

**WHEREAS**, the Asheboro City Council has held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit Technimark, LLC and its related business entities, hereafter collectively referred to as the "Company"; and

**WHEREAS**, with the assistance of the proposed economic development project, the Company anticipates expending approximately twenty-five million nine hundred thousand dollars (\$25,900,000) to construct and equip a new facility that will create one hundred and twenty five (125) new jobs; and

**WHEREAS**, the proposed economic development project with the Company would require the City of Asheboro to administer grant funding and to invest city funds in the amount of one hundred twenty two thousand five hundred dollars (\$122,500); and

**WHEREAS**, the Asheboro City Council has concluded that the City of Asheboro should pursue the proposed economic development project with the Company by submitting a formal application for funding from the Community Development Block Grant Program.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Asheboro, North Carolina that the city's officers and employees are authorized to submit, on behalf of the City of Asheboro, a formal application to the North Carolina Department of Commerce for a Community Development Block Grant for Economic Development to benefit the Company; and

**BE IT FURTHER RESOLVED** that the Asheboro City Council certifies the City of Asheboro will meet all federal regulatory and statutory requirements of the Small Cities Community Development Block Grant Program; and

**BE IT FURTHER RESOLVED** that the City of Asheboro will administer this grant funding in accordance with the rules and regulations of the North Carolina Department of Commerce; and

**BE IT FURTHER RESOLVED** that the City of Asheboro will administer this grant funding through the city's community development office, and this administration will include, at a minimum, quarterly monitoring of job creation and compliance with the representations made as part of the submitted application.

This resolution was duly adopted by the Asheboro City Council in open session during a regular meeting held on the 4th day of June, 2015.

---

David H. Smith, Mayor

ATTEST:

---

Holly H. Doerr, City Clerk

Item 6 (c)(iii)

**RESOLUTION ADOPTING THE PROCUREMENT PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM BY THE CITY OF ASHEBORO**

**WHEREAS**, the City of Asheboro is participating in the Community Development Block Grant Program (CDBG) under the Housing and Community Development Act of 1974 as administered through the North Carolina Department of Commerce; and,

**WHEREAS**, a Procurement Policy is required for the City's CDBG project;

**NOW, THEREFORE, BE IT RESOLVED**, that to accomplish the above, the Asheboro City Council hereby adopts the attached Procurement Policy to be used throughout the implementation of this Community Development Block Grant project.

**BE IT FURTHER RESOLVED** that the Asheboro City Council certifies the City of Asheboro will meet all federal regulatory and statutory requirements of the Small Cities Community Development Block Grant Program; and

This resolution was duly adopted by the Asheboro City Council in open session during a regular meeting held on the 4th day of June, 2015.

\_\_\_\_\_  
David H. Smith, Mayor

ATTEST:

\_\_\_\_\_  
Holly H. Doerr, City Clerk

**CITY OF ASHEBORO  
PROCUREMENT PLAN FOR THE  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

In the procurement of supplies, equipment or services in the City of Asheboro's Community Development Block Grant Program, the following policies shall apply:

- 1) Small purchase procedures. These are relatively simple and informal procurement methods that are sound and appropriate for a procurement of services, supplies or other property, costing in the aggregate not more than \$25,000. Under this procurement method, price or rate quotations shall be obtained from an adequate number of qualified sources. Office supplies and equipment may be secured by this method.
- 2) In competitive sealed bids (formal advertising), sealed bids shall be publicly solicited and a firm, fixed price contract shall be awarded to the responsible bidder whose bid conforming with all the material terms and conditions of the invitation for bids, is lowest in price.
- 3) In competitive negotiations, proposals shall be requested from a number of sources and the Request for Proposals shall be publicized. All aspects of the competitive negotiations shall be carried out in conformance with 24 CFR Part 85. The general administrative contract, appraisal contract, surveying contract and all other required services related to the program implementation shall be awarded utilizing this method. Under this method, special consideration shall be given to experience, technical abilities and familiarity with the services to be provided. Price shall not be the sole consideration for award of contract.

On all procurement, efforts shall be made to solicit bids from qualified small, female and minority business firms.

In all cases, procurement under this Policy must conform to the requirements for procurement set forth in 24 CFR Part 85.

An adequate record of procurement must be maintained to insure that these policies and the requirements of 24 CFR Part 85 have been followed in their entirety.

# Item 6 (d)

## As Read Bid Results

Contract No. TBD

Project: TIP ER-2971H

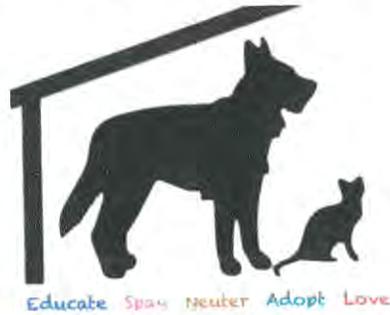
Construction of concrete sidewalk on the north side of US 64 (East Dixie Drive) from SR 2197 (Dublin Road) to Executive Way

Bid Opening: 5/29/2015 at 2:00 pm

	Contractor	Amount
1	Armen Construction	\$58,845.00
2*	Cooper Construction Co.	\$55,820.00
3	Country Boy Landscaping, Inc.	\$78,888.88
4	ASJ Wilson Construction, Inc.	\$49,658.00
5		
6		
7		
8		
9		

\*2 Bid bond not included with submittal

# Randolph County SPCA



May 18, 2015

John Ogburn  
City Manager  
Asheboro, NC 27203

John,

We have been getting many calls every week from Asheboro City residents about the need for an anti-tether ordinance.

If I could speak to the City Council at the June 4th meeting it could help move something like this forward. Randleman already has this ordinance and I believe the County is already considering a change at their level. I think it will be supported and welcomed here too.

Thank you for all you do to make Asheboro a great place to live and work.

Respectfully,

Gary Hall  
Executive Director  
Randolph County SPCA

Item 7

Board of directors

Gary Hall  
Executive Director

Ally Thomas  
Vice President

Linda Knott  
Director of Education

Jan Williamson  
Education Outreach

Rob Reese  
Treasurer

Karen Hennis  
Secretary

Dade Reese

Jacqie Stansfield

Dr. Teena Byrd  
Veterinary advisor

300 W Bailey Street  
Asheboro, NC 27203

336 328-0077

[www.randolphspca.com](http://www.randolphspca.com)

**ASHEBORO CULTURAL & RECREATION SERVICES**  
**Schedule of Deposits, Fees, and Charges**

Item 10

Adopted:  
 Effective: June 8, 2015

*Denotes Proposed  
 Changes*

<b>BASEBALL/SOFTBALL FIELD RENTAL</b>	<i>Rec Card Fees</i>	<i>Non-Resident Fees</i>
Rental per hour (no lights)	\$ 15.00	\$ 20.00
Light Fee (per hour)	\$ 10.00	\$ 15.00
<b>Tournament rentals</b>		
(1 field) per weekend	\$ 175.00	\$ 225.00
(two fields) per weekend	\$ 300.00	\$ 400.00
<b>Concession Stand &amp; Restrooms</b>	\$ 50.00	\$ 65.00
<b>Additional Field Preparation</b>	\$ 45.00	\$ 60.00

<b>DISC GOLF COURSE</b>	<i>Rec Card Fees</i>	<i>Non-Resident Fees</i>
Tournament Rental per Day (8 hours)	\$ 100.00	\$ 175.00

<b>DOWNTOWN FARMERS' MARKET</b>	<i>Applies to All</i>
Daily Fee - 1 space	\$ 5.00
Daily Fee - 2 spaces <i>(if granted by Market Manager)</i>	\$ 15.00

<b>GOLF COURSE</b>	<i>Rec Card Fees</i>	<i>Non-Resident Fees</i>
<b>Walking Only</b>		
Any Day	\$ 8.00	\$ 10.00
<b>Riding (9 holes) Includes Greens Fees</b>		
Any Day	\$ 15.00	\$ 18.00
<b>Riding (18 holes) Includes Greens Fees</b>		
Any Day	\$ 21.00	\$ 25.00
<b>Twilight (18 holes) After 3pm Daily. Includes cart &amp; green fees.</b>		
Weekday	\$ 16.00	\$ 20.00
<b>Membership Rates</b>		
Individual	\$ 365.00	\$ 465.00
Junior Summer (June - August)	\$ 75.00	\$ 125.00
Senior	\$ 290.00	\$ 390.00
Senior Couple	\$ 475.00	\$ 575.00
Family (Up to 4 at the same residence)	\$ 600.00	
<b>Member Cart Fee</b>		
Nine Holes	\$ 6.00	\$ 7.00
Eighteen Holes	\$ 11.00	\$ 13.00

<b>LAKE LUCAS</b>	<i>Rec Card Fees</i>	<i>Non-Resident Fees</i>
Daily fishing permit	\$ 3.00	\$ 4.00
Annual fishing permit	\$ 35.00	\$ 50.00
Daily Canoe/Kayak rental	\$ 6.00	\$ 10.00
Daily Canoe/Kayak launch fee	\$ 2.50	\$ 3.50
Annual Canoe/Kayak launch fee	\$ 35.00	\$ 50.00
Daily Jon boat rental	\$ 8.00	\$ 12.00
Daily launch fee	\$ 7.00	\$ 9.50
Annual launch fee	\$ 100.00	\$ 135.00
Kayak rental spaces (includes annual launch permit)	\$ 60.00	\$ 85.00
Boat rental spaces	\$ 75.00	\$ 125.00
Boat rental spaces (includes annual launch permit)	\$ 150.00	\$ 200.00

<b>LAKE REESE</b>	<i>Rec Card Fees</i>	<i>Non-Resident Fees</i>
Daily launch fee	\$ 7.00	\$ 9.50
Daily Canoe/Kayak launch fee	\$ 2.50	\$ 3.50
Annual Canoe/Kayak launch fee	\$ 35.00	\$ 50.00
Annual launch fee	\$ 100.00	\$ 135.00
Daily duck hunting (per boat)	\$ 12.50	\$ 16.00

<b>ROOM RENTAL</b>	<i>Rec Card Fees</i>	<i>Non-Resident Fees</i>
1 Hour	\$ 20.00	\$ 25.00
1/2 Day	\$ 60.00	\$ 75.00
Full Day	\$ 100.00	\$ 125.00

<b>ROTARY PAVILION AT BICENTENNIAL PARK</b>	<i>Rec Card Fees</i>	<i>Non-Resident Fees</i>
Security Deposit (refundable)	\$ 75.00	\$ 75.00
Daily Rate	\$ 325.00	\$ 400.00
	<i>Applies to All</i>	
Non-Profit / Government Rate		\$ 225.00

<b>SHELTER RENTAL</b>	<i>Rec Card Fees</i>	<i>Non-Resident Fees</i>
<b>Eastside, Frazier, Kiwanis, Lake Lucas, Memorial Lower, North Asheboro Park</b>		
1/2 Day: 10am - 3pm or 3:30pm - Dark	\$ 10.00	\$ 20.00
Full Day	\$ 20.00	\$ 40.00
<b>Memorial Park Upper</b>		
1/2 Day: 10am - 3pm or 3:30pm - Dark	\$ 18.00	\$ 35.00
Full Day	\$ 35.00	\$ 70.00

<b>SKATE PARK</b>	<i>Rec Card Fees</i>	<i>Non-Resident Fees</i>
Daily Admission	\$ 1.00	\$ 2.00
15 Admission Pass	\$ 10.00	\$ 25.00
1 Year Unlimited Pass	\$ 150.00	\$ 300.00

<b>SUNSET THEATER</b>	<i>Applies to All</i>	
Security Deposit	\$	100.00
Dark / Rehearsal (Multi day use, 4 hour max)	\$	50.00
General Meeting / Party Rental (4 hour max)	\$	100.00
Non-Profit / Government / School Group (Single day use, 8 hour max)	\$	150.00
Private Event (8 hour max)	\$	300.00
Commercial / For Profit (8 hour max)	\$	400.00

<b>SWIMMING POOLS</b>	<i>Rec Card Fees</i>	<i>Non-Resident Fees</i>
<b>Public Swim (day)</b>		
2 years old & under (with paying adult)	No Fee	No Fee
3 years old and above	\$ 2.50	\$ 3.25
<b>Public Swim (night)</b>		
2 years old & under (with paying adult)	No Fee	No Fee
3 years old and above	\$ 2.00	\$ 2.75
<b>Public Lap Swim</b>	\$ 1.00	\$ 1.75
<b>Public Senior Swim</b>	\$ 1.00	\$ 1.75
<b>Swimming Lessons (group)</b>	\$ 25.00	\$ 30.00
<b>Swimming Lessons (private)</b>	\$ 50.00	\$ 60.00
<b>Swim Pass (15 admissions)</b>	\$ 30.00	\$ 40.00
<b>*Groups (15+)</b>	\$ 2.00	\$ 2.75
<b>*Pool Rental (2 hr. Min.) 0 - 49</b>	\$ 150.00	\$ 225.00
<i>Includes 1 Manager &amp; 2 Lifeguards</i>		
<b>Pool Rental (2 hr. Min.) 50+</b>	\$ 200.00	\$ 300.00
<i>Includes 1 Manager &amp; 3 Lifeguards, add \$20 for each additional Lifeguard required.</i>		

<b>TENNIS CENTER</b>	<i>Rec Card Fees</i>	<i>Non-Resident Fees</i>
Lights per hour per court	\$ 3.00	\$ 4.00

<b>YOUTH SPORTS FEES</b>	<i>Rec Card Fees</i>	<i>Non-Resident Fees</i>
Registration Fee	\$ 20.00	\$ 50.00
Late Registration Fee	\$ 10.00	\$ 10.00

*Late Registration applies to all registration forms received after the advertised registration deadline.*

**Participants who reside within the City Limits of Asheboro must obtain a Rec Card in order to receive the Rec Card Rate.**

**RESOLUTION NUMBER \_\_\_\_\_**

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

**RESOLUTION DELEGATING AUTHORITY TO THE CITY MANAGER  
TO EXEMPT CERTAIN PROJECTS FROM THE PROCUREMENT  
PROCESS ESTABLISHED BY THE MINI-BROOKS ACT**

**WHEREAS**, pursuant to Section 143-64.31 of the North Carolina General Statutes (this statutory provision is sometimes referred to as the “Mini-Brooks Act”), the procurement of certain professional services such as the services performed by architects, engineers, surveyors, and construction managers at risk must be undertaken, unless an exemption is granted, by means of utilizing the Qualifications-Based Selection (QBS) process; and

**WHEREAS**, Section 143-64.31 of the North Carolina General Statutes provides, in pertinent part, as follows:

It is the public policy of this State and all public subdivisions and Local Governmental Units thereof, except in cases of special emergency involving the health and safety of the people or their property, to announce all requirements for architectural, engineering, surveying, construction management at risk services, design-build services, and public-private partnership construction services to select firms qualified to provide such services on the basis of demonstrated competence and qualification for the type of professional services required without regard to fee other than unit price information at this stage, and thereafter to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm; and

**WHEREAS**, Section 143-64.32 of the North Carolina General Statutes provides as follows:

Units of local government or the North Carolina Department of Transportation may in writing exempt particular projects from the provisions of this Article (Article 3D of Chapter of 143 of the North Carolina General Statutes, which includes the section quoted in the immediately preceding paragraph) in the case of proposed projects where an estimated professional fee is in an amount less than fifty thousand dollars (\$50,000); and

**WHEREAS**, the Asheboro City Council has concluded that the limitation imposed by restricting the exemption authority to projects with an estimated professional services fee of less than \$50,000 is adequate to allow the City Council, without fear of violating good governance concerns, to delegate the authority to the city manager to exempt certain projects from the QBS

process established by the Mini-Brooks Act in order to enhance the efficiency of the city's operations when dealing with time sensitive projects;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Asheboro, North Carolina that the city manager is hereby delegated the authority to exempt, in writing, particular projects from the QBS process established by the Mini-Brooks Act when the estimated professional services fee for the project to be granted an exemption is in an amount less than \$50,000.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 4<sup>th</sup> day of June, 2015.

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

ATTEST:

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