

**REGULAR MEETING
ASHEBORO CITY COUNCIL
COUNCIL CHAMBER, MUNICIPAL BUILDING
JUNE 10, 2010
7:00 p.m.**

This being the time and place for a regular meeting of the 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
Stuart B. Fountain)
Michael W. Hunter)
Walker B. Moffitt)

Talmadge S. Baker) – Council Member Absent

John N. Ogburn, III, City Manager
Dumont Bunker, P.E., City Engineer
Richard L. Cox, Jr., Community Planning and Development Department Intern
Holly H. Doerr, City Clerk/Senior Legal Assistant
Casandra M. Fletcher, Marketing Specialist
R. Reynolds Neely, Jr., Planning Director
Deborah P. Reaves, Finance Director
James O. Smith, Police Captain
Jeffrey C. Sugg, City Attorney

1. Call to order.

Mayor Smith called the meeting to order for the transaction of business, and business was transacted as follows.

2. Moment of silence and pledge of allegiance.

After a moment of silence was observed in order to allow council members, staff, and guests to collect their thoughts and private meditation, Mayor Smith asked everyone to stand and repeat the pledge of allegiance.

3. Appearance and recognition of guests and citizens.

Mayor Smith welcomed everyone in attendance. Mr. Baker was absent from this meeting in order to attend his 50th class reunion at Clemson University.

4. Consent Agenda:

Mayor Smith announced that consent agenda item (d) had been withdrawn from consideration by the applicant.

Upon motion by Dr. Fountain and seconded by Mr. Bell, Council voted unanimously to approve the following consent agenda items. Council Members Bell, Burks, Carter, Fountain, Hunter, and Moffitt voted in favor of the motion.

- (a) **The minutes of the regular meeting of the City Council that was held on May 6, 2010.**
- (b) **The minutes of the special meeting of the City Council that was held on May 13 and 14, 2010.**
- (c) **An ordinance prohibiting the riding of skateboards or roller skates on posted private property at 505 South Park Street (Saint John's Lutheran Church).**

AN ORDINANCE PROHIBITING ANY PERSON FROM RIDING A SKATEBOARD OR ROLLER SKATES ON POSTED PRIVATE PROPERTY

WHEREAS, Section 160A-174(a) of the North Carolina General Statutes provides that a city may define, prohibit, or abate by ordinance acts, omissions, or conditions that are detrimental to the health, safety, or welfare of the city's citizens and the peace and dignity of the city; and

WHEREAS, Section 70.53 of the Code of Asheboro restricts the use of play vehicles by providing as follows:

§ 70.53 USE OF PLAY VEHICLES RESTRICTED.

(A) It shall be unlawful for any person riding on a skateboard, roller skates, coaster, toy vehicle or similar device to ride any of such devices on the premises of the municipal buildings, on any of the facilities or structures located in Bicentennial Park, on any municipal parking facility, or to ride any such devices on any sidewalk or street located in the central business district of the city, as designated on the City Zoning Map as a B-3 District.

(B) It shall be unlawful for any person riding on a skateboard, roller skate (sic) or any other toy vehicle to ride on a roadway except while crossing a street at a crosswalk or intersection; provided, that this section shall not apply upon streets set aside as play streets.

(C) It shall be unlawful for any person to ride on a skateboard, roller skates, or any other toy vehicle on private property when signs are placed, erected, or installed giving notice that skateboarding, roller skating or riding any other toy vehicle is regulated, prohibited, or prohibited during certain hours, in that space or area; and

WHEREAS, on behalf of Saint John's Lutheran Church, the Reverend Ralph Kraft has properly petitioned the City Council of the City of Asheboro to have the outdoor premises of the church, which is located within the corporate limits of the City of Asheboro at 505 South Park Street, posted in order to prohibit, in accordance with Section 70.53(C) of the Code of Asheboro, the riding by any person of a skateboard or roller skates on the improvements, specifically including by way of illustration and not limitation the walkways, pathways, stairs, railings, and ramps, located on the Park Street and Holly Street sides of the church's property.

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

Section 1. Pursuant to and in accordance with Section 70.53(C) of the Code of Asheboro, it is hereby declared to be unlawful for any person to ride, at any time, a skateboard or roller skates on the improvements, specifically including by way of illustration and not limitation the walkways, pathways, stairs, railings, and ramps, located on the Park Street and Holly Street sides of the property owned by Saint John's Lutheran Church.

Section 2. The number and type of signs necessary to lawfully implement the provisions of Section 1 of this ordinance shall be installed in a manner to be determined by the Chief of Police for the City of Asheboro or his designee. The entirety of the cost of installing and maintaining the necessary signs by city forces shall be paid by the owner of the posted premises. No sworn law enforcement officer is authorized to enforce the provisions of this ordinance unless the prescribed signage has been installed and maintained within the area for which enforcement is requested.

Section 3. The city clerk shall enter a description in Schedule 19 of Chapter 72 of the Code of Asheboro of the type of prohibition imposed by this ordinance and a description of the private property subject to said prohibition.

Section 4. This ordinance shall take effect and be in force from and after the date of its adoption.

This ordinance was adopted, in open session, during a regular meeting of the Asheboro City Council that was conducted on the 10th day of June, 2010.

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

ATTEST:

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

- (d) An ordinance amending Chapter 110 (General License Provisions) of the Code of Asheboro in order to make technical corrections to the amount of the fees listed for certain privilege licenses. [Consent Agenda Item (e)]

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AN ORDINANCE AMENDING CHAPTER 110 OF THE CODE OF ASHEBORO

WHEREAS, Section 160A-211 of the North Carolina General Statutes authorizes a city “to levy privilege license taxes on all trades, occupations, professions, businesses, and franchises carried on within the city;” and

WHEREAS, the City Council of the City of Asheboro has previously exercised this taxing authority by means of enacting Chapter 110 of the Code of Asheboro; and

WHEREAS, the City Council of the City of Asheboro has concluded that Section 110.34 and Section 110.35 of the Code of Asheboro should be amended to update these provisions and eliminate potential interpretive conflicts with the applicable state law.

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

Section 1. Section 110.34 of the Code of Asheboro is hereby rewritten to provide as follows:

§ 110.34 SCHEDULE OF PRIVILEGE LICENSE TAXES FORMERLY TAXED BY THE STATE UNDER ARTICLE 2 OF CHAPTER 105 OF THE NORTH CAROLINA GENERAL STATUTES.

~~(a) Tax Schedule. The following businesses shall pay a tax in accordance with the amounts set forth in G.S. Chapter 105:~~

Outdoor theaters	105-36.1
Movie theaters	105-37
General amusements	105-37.1
Circuses and animal shows	105-38
Collection agencies	105-45
Undertakers	105-46
Bicycle dealers	105-49
Pawnbrokers	105-50
Automatic machines	105-51
Peddlers, itinerant merchants, and specialty market operators	105-53
Contractors	105-54
Installing elevators and sprinkler systems	105-55
Fortune tellers	105-58
Hotel and motels	105-61
Campgrounds and trailer parks	105-61.1
Pool tables	105-64
Bowling alleys	105-64.1
Music machines	105-65
Sundries	105-65.2
Pinball and similar amusements	105-66
Electronic video games	105-66.1
Security dealers	105-67
Packing house	105-70
Sale of certain oils	105-72
Barber shops and beauty parlors	105-75.1
Dealers in firearms and other weapons	105-80
Sale of piano and record players	105-82
Outdoor advertising	105-86
Loan agencies	105-88
Service stations, wholesale supply dealers, and automobile dealers	105-89
Motorcycle dealers	105-89.1
Emigrant and employment agents	105-90
Manufactures and sellers of ice cream	105-97
Chain stores	105-98

~~(a) Tax Schedule. The following businesses shall pay a tax in accordance with the amounts set forth in G.S. Chapter 105:~~

Barber Shops and Beauty Parlors	160A-211
Bicycle Dealers	105-102.5
Bowling Alleys	105-102.5

<u>Campgrounds and Trailer Parks</u>	<u>105-102.5</u>
<u>Chain Stores</u>	<u>105-98</u>
<u>Collection Agencies</u>	<u>105-45</u>
<u>Contractors</u>	<u>105-54</u>
<u>Dealers in Firearms and Other Weapons</u>	<u>105-80</u>
<u>Electronic Video Games</u>	<u>105-66.1</u>
<u>Emigrant and Employment Agents</u>	<u>105-90</u>
<u>Fortune Tellers</u>	<u>105-58</u>
<u>General Amusements</u>	<u>105-37.1</u>
<u>Hotels and Motels</u>	<u>105-61</u>
<u>Installing Elevators and Sprinkler Systems</u>	<u>105-55</u>
<u>Loan Agencies</u>	<u>105-88</u>
<u>Manufacturers and Sellers of Ice Cream</u>	<u>105-97</u>
<u>Motorcycle Dealers</u>	<u>105-89.1</u>
<u>Movie Theaters</u>	<u>105-37</u>
<u>Music Machines</u>	<u>105-65</u>
<u>Outdoor Advertising</u>	<u>105-86</u>
<u>Outdoor Theaters</u>	<u>105-36.1</u>
<u>Pawnbrokers</u>	<u>105-88</u>
<u>Peddlers, Itinerant Merchants, and Specialty Market Operators</u>	<u>105-53</u>
<u>Pinball and Similar Amusements</u>	<u>105-102.5</u>
<u>Pool Tables</u>	<u>105-102.5</u>
<u>Sale of Pianos and Record Players</u>	<u>105-102.5</u>
<u>Service Stations, Wholesale Supply Dealers, and Automobile Dealers</u>	<u>105-89</u>
<u>Sundries</u>	<u>105-102.5</u>
<u>Undertakers</u>	<u>105-46</u>

(b) *Restaurants.* Every person engaging in the business of operating a restaurant, café, cafeteria, hotel with a dining service on the European plan, drugstore, or other place where prepared food is sold shall pay a privilege license tax of:

(1) Twenty-five dollars (\$25.00) for a business that has seats for four customers or less; or

(2) Forty-two dollars and fifty cents (\$42.50) for a business that has seating for at least five customers.

(3) The provisions of this division of § 110.34 are not applicable to either food items sold through vending machines or nonprofit cafés or cafeterias located in industrial plants for the convenience of employees.

(c) *Dry Cleaners.* Every person engaging in the business of operating a cleaning plant, pressing club, or hat-blocking establishment shall pay a privilege license tax of fifty dollars (\$50.00) for each business location if the licensee does not solicit business outside of Randolph County. If the licensee solicits business outside of Randolph County, the privilege license tax shall be one hundred dollars (\$100.00) for each business location. The tax levied under this division shall only be charged if the business is located in the corporate limits of the city. If a dry cleaning or pressing business has several pick-up stations or receiving outlets in the city, only one privilege license tax shall be levied on the business; a separate tax may not be charged for each station.

(d) *Laundries.* Every person engaging in the business of operating a laundry, including wet- or damp-wash laundries and businesses known as launderettes, launderalls, and similar types of businesses, shall pay a privilege license tax of fifty dollars (\$50.00) for each business location if the licensee does not solicit business outside of Randolph County. If the licensee solicits business outside of Randolph County, the privilege license tax shall be one hundred dollars (\$100.00) for each business location. For purposes of this division, a laundry includes a person engaging in the business of supplying or renting clean linen or towels or wearing apparel. The tax levied under this division shall only be charged if the business is located in the corporate limits of the city. If a laundry has several pick-up stations or receiving outlets in the city, only one privilege license tax shall be levied on the business; a separate tax may not be charged for each station.

(e) *Plumbers, Heating Contractors, and Electricians.*

(1) Every person engaging in the business of a plumber or installing plumbing fixtures, piping, or equipment; a steam or gas fitter or installing hot-air heating systems; installing electrical equipment; or offering to perform such services shall pay a privilege license tax of fifty dollars (\$50.00). Any person

engaged exclusively in the businesses enumerated in and licensed under this division shall not be liable for the tax on contractors, construction companies, installers of elevators and automatic sprinkler systems, and persons repairing elevators and automatic sprinkler systems.

(2) With respect to electricians and electrical contractors, a license procured under this division shall cover the installation of electrical equipment, fixtures, and wiring in or upon the consumer's premises, or on the "customer's side" of the point of delivery of electric service, but shall not cover the installation of or service to transmission or distribution lines or work on the "distributor's side" of the point of delivery of electric service. With respect to plumbers and plumbing contractors, a license procured under this division shall cover plumbing work and plumbing installation in buildings, upon the premises upon which the buildings are situated, and up to the connection with the sewer or water mains, but shall not cover the construction of or work upon water or sewer systems or mains.

Section 2. Section 110.35 of the Code of Asheboro is hereby rewritten to provide as follows:

§ 110.35 SUPPLEMENTAL SCHEDULE OF PRIVILEGE LICENSE TAXES.

The following business shall pay the amounts specified in this schedule.

ABATTOIRS. Every person engages in the business of operating an abattoir (establishment where animals are butchered), per annum	\$50.00
ADVERTISING. Advertising not otherwise specifically taxed (outdoor advertising another classification), per annum	\$17.50
AUTOMOTIVE CAR WASH. Per annum	\$25.00
BALLOONS, NOVELTIES, SOUVENIRS, CURIOS, AND FLAGS. Every person offering for sale balloons, novelties, souvenirs, curios, flags:	
Per person per day	\$5.00
Per person per week	\$20.00
BED AND BREAKFAST. Every person offering their residence for the purpose of paying guest and serving at least one meal a day for as many as ten people shall pay per annum.	\$10.00
CONCRETE-READY MIX. Every person engaged in the business of selling ready-mixed concrete, per annum	\$25.00
DELIVERY SERVICE. Every person engaged in the business of parcel delivery or engaged in the business of contracting to perform deliveries, per annum,	\$25.00
DIRECTORIES. Every person compiling and selling directories, per annum	\$25.00
DRAYS, MOVING CONCERNS, AND TRANSFER COMPANIES. Every person engaged in the business of operating a moving or transfer company, per annum	\$10.00
DEMOLITION CONTRACTOR. Every person engaged in the business of wrecking and demolition, per annum	\$10.00
DAY CARE FACILITY.	
Less than ten persons, per annum	\$15.00
10 to 25 persons, per annum	\$25.00
Over 25 persons, per annum	\$40.00
FLORIST/LANDSCAPING. Every person engaged in the business of horticulture, growing, planting, or selling flowers, bulbs, plants, shrubs or nursery stock and every person selling or offering for sale cut flowers, bulbs, shrubs, nursery stock, evergreens, artificial flowers or wreaths shall pay per annum,	\$25.00

The foregoing shall not apply to the sale of Christmas Trees, loose holly, mistletoe, or similar loose decorations that are sold by the producer during the Christmas season.

FORTUNE-TELLERS, CLAIRVOYANTS, AND SIMILAR TRADES. Every fortune-teller, clairvoyant or person following similar trades, per annum \$1,000.00

FOUNDRY AND MACHINE SHOP. Every person operating a foundry or machine shop, per annum \$25.00

HARVESTING AND AGRICULTURAL MACHINERY. Every person engaged in the business of selling, trading or dealing in harvesting and agricultural machinery, per annum \$27.50

LUMBER BROKER. Per annum \$25.00

MANUFACTURERS. Every person engaged in the business of manufacturing shall pay a license tax as follows:

Annual gross business of not over	Per annum
\$ 80,000	\$15.00
160,000	30.00
240,000	45.00
320,000	60.00
400,000	75.00
480,000	90.00
560,000	105.00
640,000	120.00
720,000	135.00
Annual gross business of over \$720,000	150.00

MARBLE YARD/MONUMENTS. Every person engaged in the business of erection, selling or offering for sale monuments or articles of like kind, per annum \$30.00

MISCELLANEOUS. Every person engaged in any business not specifically taxed herein and not exempt by state law or by this code or other ordinance shall pay a license tax of, per annum \$25.00

~~MUSICAL INSTRUMENTS. Every person engaged in the business of selling or offering for sale pianos, organs, phonographs, or phonograph records, radios, television sets or radio or television accessories, per annum \$10.00~~

NURSING HOME/ADULT CARE FACILITY. Every person engaged in the business of a nursing home/adult care facility which includes the mentally and physically infirm, homes for the aged, group homes, (not more than ten person) convalescent and rest homes. This section shall not apply to any hospital licensed under the General Assembly, per annum \$50.00

PAINTING. Every person engaged in the business as a painting contractor either by a contract or by the hour, per annum \$15.00

PRINTING ESTABLISHMENT. Every person engaged in the business of operating a printing establishment, engraver for printing, or newspaper printing, per annum \$25.00

REPAIR SHOP/SERVICE. Every person engaged in the business of operating a repair business not otherwise taxed, per annum \$15.00

RETAIL BUSINESS. Every person selling at retail not specifically taxed herein shall pay license as follows (not pertaining to outside city merchants):

- (1) Annual gross sales or receipts of not over \$20,000 per annum \$15.00
- (2) For each \$1,000 or fraction thereof in excess of \$20,000, per annum \$.65

ROOFING CONTRACTORS, ROOFING PATCHERS, REPAIRERS. Every person engaged in the business of roofing shall pay, per annum \$15.00

SANDWICHES, WHOLESALE DEALERS. Every person engaged in the business of preparing and selling sandwiches at wholesale, per annum \$10.00

SHEET METAL, SIDING, TINNING. Every person engaged in the business as a sheet metal, siding, tinning contractor or operating a tin shop, per annum \$15.00

STORAGE WAREHOUSE. Every person engaged in the business of operating a warehouse, storage or transfer warehouse wherein anything not belonging to the owner or operator of the same is stored for compensation, per annum \$50.00

TELEGRAPH COMPANIES. Every telegraph company engaged in business within the corporate limits, per annum \$15.00

TELEPHONE ANSWERING SERVICE. Every person engaged in the business of answering telephones for other companies, per annum \$15.00

TREE SERVICES. Every person engaged in the business of trimming, cutting, pruning trees, per annum \$25.00

UPHOLSTERS. Every person operating a place of business where any kind of upholstery is done (other than upholstering of automobiles or trucks) shall pay, per annum \$25.00

WHOLESALE BUSINESS. Every person selling at wholesale shall pay a privilege license tax as follows:

Annual Gross Sales or Receipts of Not Over	Per Annum
\$ 40,000	\$ 15.00
80,000	30.00
120,000	45.00
160,000	60.00
200,000	75.00
240,000	90.00
280,000	105.00
320,000	120.00
360,000	135.00
Annual Gross Sales or Receipts of Over	
\$ 360,000	\$ 150.00

WRESTLING AND BOXING. Every promoter or exhibitor of any wrestling or boxing matches for which an admission charge is made, per annum \$50.00

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

Section 4. This ordinance shall be in full force and effect upon and after the 10th day of June, 2010.

This ordinance was adopted by the Asheboro City Council, in open session, during a regular meeting held on the 10th day of June, 2010.

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

ATTEST:

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

(e) **Acknowledgement of receipt of the minutes of the Asheboro Alcoholic Beverage Control Board meetings held on April 5, 2010 and May 13, 2010. [Consent Agenda Item (f)]**

[Copies of the above-referenced minutes are on file in the City Clerk's office.]

5. Presentation by Mr. Richard Wells, Randolph County Manager.

Prior to the public comment period, Mr. Richard Wells, Randolph County Manager, presented Mr. Bell with a \$100.00 donation to be given to the Randolph Community College Foundation. This donation was made pursuant to an agreement between Mr. Wells and Mr. Bell that Mr. Wells would make the donation if Mr. Bell would wear to this meeting the zoot suit that he wore to a recent fund raising event for the Randolph Community College Foundation. Both parties fulfilled their obligations under the agreement.

6. Public comment period. [Agenda Item Number 5]

There being no comments from the public, Mayor Smith closed the public comment period.

7. Consideration of a resolution authorizing a public hearing at 12:00 noon on Thursday, June 24, 2010, to receive public comments concerning the City's pending request to terminate the contract with the Parks and Recreation Trust Fund for grant funding of the proposed Zoo City Park. [Agenda Item Number 6]

Mr. Ogburn presented and recommended adoption, by reference, of the aforementioned resolution.

Upon motion by Mr. Burks and seconded by Mr. Hunter, Council voted unanimously to adopt the following resolution by reference. Council Members Bell, Burks, Carter, Fountain, Hunter, and Moffitt voted in favor of the motion.

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RESOLUTION AUTHORIZING A PUBLIC HEARING ON THE PROPOSED ACTION BY THE CITY OF ASHEBORO TO REQUEST WITHDRAWAL OF AN EXISTING GRANT AWARD FOR THE ZOO CITY PARK

WHEREAS, the City Council of the City of Asheboro has previously proposed, and continues to propose, to complete a project designed to bring into existence the Zoo City Park on the east side of Zoo Parkway in order to provide high quality recreation facilities, specifically including without limitation soccer facilities; and

WHEREAS, in furtherance of this project, the City of Asheboro entered into a North Carolina Parks and Recreation Trust Fund Project Agreement in 2007 with the North Carolina Department of Environment and Natural Resources; and

WHEREAS, under this agreement, the funding for the project costs associated with the Zoo City Park was described as five hundred thousand dollars (\$500,000) from the Parks and Recreation Trust Fund and one million one hundred thousand dollars (\$1,100,000) from the City of Asheboro as a local government match; and

WHEREAS, the period of time covered by this North Carolina Parks and Recreation Trust Fund Project Agreement (Contract Number P08004) was specified as July 1, 2007 to June 30, 2010; and

WHEREAS, during this time period, the national and global economy experienced an economic recession that produced hardship exceeded in the twentieth century only by the Great Depression; and

WHEREAS, the global recession impaired the revenues that would normally be received by the City of Asheboro and caused an unusual tightening of the credit markets; and

WHEREAS, sound fiscal management dictates that the City of Asheboro conserve its fiscal resources and not pass an additional financial burden to taxpayers in the form of higher taxes or fees in an effort to fund the proposed Zoo City Park Project at the current time; and

WHEREAS, the City Council of the City of Asheboro wishes to comply with all of the regulations associated with voluntarily requesting the withdrawal of a Parks and Recreation Trust Fund grant award so as to be in a position to receive future funding for the completion of the Zoo City Park Project when economic conditions have returned to the point that the city can proceed without exposing itself to unreasonable financial risks.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that a public hearing is to be held during a special meeting of the City Council on June 24, 2010, in order to receive

public comments on the proposal to request withdrawal of the current grant award from the North Carolina Parks and Recreation Trust Fund; and

BE IT FURTHER RESOLVED that the City Clerk is directed to publish notice of this public hearing in *The Courier-Tribune*, a newspaper having general circulation in the City of Asheboro, on the earliest possible date.

This resolution was adopted by the Asheboro City Council in open session during a regular meeting of the City Council that was held on the 10th day of June, 2010.

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

ATTEST:

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

8. Consideration of a resolution establishing the Personnel Evaluation Committee and the Tourism and Marketing Committee. [Agenda Item Number 7]

Mr. Sugg explained that, prior to considering a resolution, the Code of Asheboro would need to be amended if the Council would like to maintain flexibility in setting the size of each committee's membership in accordance with the activities to be undertaken by the committee. Since this issue needed to be resolved at the policy level before an ordinance and resolution were drafted, no legal instruments addressing this topic were prepared for consideration during this meeting.

The Council Members expressed their general preference for calibrating the size of the committee to match the task(s) to be performed. Consequently, an ordinance amendment along with the above-referenced resolution will be submitted to the Council for review and possible consideration at the Council's special meeting that is scheduled for Thursday, June 24, 2010.

9. Consideration of a resolution accepting and endorsing the 3-year update of the City of Asheboro's Comprehensive Solid Waste Management Plan. [Agenda Item Number 8]

Mr. Ogburn presented and recommended adoption, by reference, of the aforementioned resolution.

Upon motion by Ms. Carter and seconded by Dr. Fountain, Council voted unanimously to adopt the following resolution by reference. Council Members Bell, Burks, Carter, Fountain, Hunter, and Moffitt voted in favor of the motion.

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**RESOLUTION ACCEPTING AND ENDORSING THE SOLID WASTE MANAGEMENT PLAN OF 2010
FOR THE CITY OF ASHEBORO**

WHEREAS, it is a priority of this city to protect human health and the environment through the safe and effective management of municipal solid waste; and

WHEREAS, the reduction of the amount and toxicity of the local waste stream is a goal of the City of Asheboro; and

WHEREAS, the equitable and efficient delivery of solid waste management services is an essential characteristic of the local solid waste management system; and

WHEREAS, it is a goal of this city to maintain and improve its physical appearance and to reduce the adverse effects of illegal disposal and littering; and

WHEREAS, the City of Asheboro recognizes its role in the encouragement of recycling markets by purchasing recycled products; and

WHEREAS, citizen involvement and education is critical to the establishment of an effective local solid waste management program; and

WHEREAS, the State of North Carolina has placed planning responsibility on local government for the management of solid waste; and

WHEREAS, Section 130A-309.09A(b) of the North Carolina General Statutes requires each unit of local government, either individually or in cooperation with other units of local government, to update their Ten Year Comprehensive Solid Waste Management Plan at least every three years; and

WHEREAS, the City of Asheboro Sanitation Department has undertaken and completed a long-range planning effort, which included an advertised public hearing held by the Asheboro City Council on May 6, 2010, to evaluate the appropriate technologies and strategies available to manage solid waste effectively.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the City of Asheboro Ten Year Comprehensive Solid Waste Management Plan of 2010 is accepted and endorsed and placed on file in the City Clerk's office.

This resolution was adopted by the Asheboro City Council in open session during a regular meeting of the City Council that was held on the 10th day of June, 2010.

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

ATTEST:

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

10. Review of proposed budget for fiscal year 2010-2011. [Agenda Item Number 9]

Mr. Ogburn reviewed the proposed budget for fiscal year 2010-2011. Mr. Ogburn highlighted that the 2010-2011 general fund allocation is \$22,912,548, and the water and sewer fund allocation is \$12,311,094. Since the initial budget presentation on May 13, 2010, Mr. Ogburn noted the following changes to the budget for the upcoming fiscal year:

- Elimination of 2% employee COLA.
- Elimination of \$140,000 for recycling cans due to the fact that the cans were purchased in June 2010.
- Purchase of ten (10) police vehicles as opposed to the purchase of six (6).
- Elimination of fee changes to youth sports.
- Elimination of \$5/month residential garbage collection fee.
- Increase of General Fund balance appropriation to 1,026,321.

A public hearing on the proposed budget for fiscal year 2010-2011 will be held on Thursday, June 24, 2010 at 12:00 p.m. in the Council Chamber, and, afterward, the City Council will consider adopting the city's budget for fiscal year 2010-2011. A copy of the proposed budget is on file in the City Clerk's office.

11. Appointment of Ms. Addie Luther and Dr. Stuart Fountain to the Community Appearance Commission. [Agenda Item Number 10]

Ms. Carter, Chairperson of the Community Appearance Commission, recommended that Ms. Addie Luther and Dr. Stuart Fountain be appointed to serve on the Community Appearance Commission. Mayor Smith endorsed the appointment of Ms. Luther and Dr. Fountain to the Community Appearance Commission.

Upon motion by Ms. Carter and seconded by Mr. Bell, Council unanimously concurred with Mayor Smith and appointed Ms. Addie Luther and Dr. Fountain to the Community Appearance Commission. Council Members Bell, Burks, Carter, Fountain, Hunter, and Moffitt voted in favor of the motion.

12. Consideration of a resolution authorizing the execution of contract documents required to finalize the grant/loan award from the Rural Economic Development Center, Inc. for the Premiere Fibers Economic Development Project. [Agenda Item Number 11]

Ms. Fletcher presented and recommended adoption, by reference, of the aforementioned resolution.

Upon motion by Ms. Carter and seconded by Mr. Burks, Council voted unanimously to adopt the following resolution by reference. Council Members Bell, Burks, Carter, Fountain, Hunter, and Moffitt voted in favor of the motion.

within the city, including but not limited to, Kiwanis, Lions Club, and Civitans. Mayor Smith asked that the Community Appearance Commission explore this idea.

With the exception of this referral to the Community Appearance Commission, the general discussion of items of interest to individual members did not result in a referral to a committee or commission and did not lead to any other action as a board.

There being no further business, the meeting was adjourned at 7:42 p.m.

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

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