

**REGULAR MEETING
ASHEBORO CITY COUNCIL
THURSDAY, AUGUST 5, 2004
7:00 PM**

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

David Jarrell) – Mayor Presiding

Talmadge Baker)
Linda Carter)
Keith Crisco)
Nancy Hunter) – Council Members Present
John McGlohon)
Archie Priest)
David Smith)

John N. Ogburn, City Manager
Carol J. Cole, CMC, City Clerk
Dumont Bunker, P. E., City Engineer
Debbie Juberg, Finance Director
Reynolds Neely, Planning Director
Lynn Priest, CD Director
Wendell Holland, Zoning Administrator
Trevor Nuttall, Planner
S. A. Vuncannon, Jr., Captain, APD
Jeff Sugg, City Attorney

A quorum thus being present, Mayor Jarrell called the meeting to order for the transaction of business, and business was transacted as follows:

1. Pledge of Allegiance and Invocation.

Mayor Jarrell asked everyone to stand and repeat the Pledge of Allegiance. Reverend George Robertson, pastor of First United Methodist Church, gave the invocation.

2. Presentation of Proclamation for Regional Consolidated Services 25th Anniversary.

Mayor Jarrell read and presented a Proclamation to Janice S. Scarborough, Executive Director and founder of Regional Consolidated Services, declaring that August 15-21, 2004, be observed in the City of Asheboro as "RCS Week."

3. Presentation on Randolph County Multi-Jurisdictional Hazard Mitigation Plan by Ms. Paula Sloneker of Piedmont Triad Council of Governments.

Ms. Paula Sloneker, Special Projects Analyst for the Piedmont Triad Council of Governments, reported that the Federal Disaster Mitigation Act of 2000 and NCGA Senate Bill 300 require all local governments to have a Hazard Mitigation Plan adopted and submitted to FEMA by November 1, 2004. Failure to adopt a plan means there will be no state nor federal funding nor public assistance in the event of a natural disaster.

Ms. Sloneker presented and reviewed the Randolph County Multi-Jurisdictional Hazard Mitigation Plan. This Plan has been submitted, reviewed and adopted by FEMA and NCEM. The next step is for Randolph County Commissioners and each of the municipal jurisdictions to approve a resolution to adopt the Plan in its entirety.

4. Resolution Adopting the Randolph County Multi-Jurisdictional Hazard Mitigation Plan as Required by Senate Bill 300.

Upon motion by Mr. Baker and seconded by Mrs. Hunter, council voted unanimously to adopt the following resolution by reference:

Resolution Adopting the Randolph County Multi-Jurisdictional Hazard Mitigation Plan as Required by State Senate Bill 300 and in Order to Remain Eligible for State and Federal Disaster Relief Funding

WHEREAS, Randolph County, the Cities of Archdale, Asheboro, Randleman, and Trinity, and the Towns of Franklinville, Liberty, Ramseur, Seagrove, and Staley desire to remain eligible for State and Federal disaster relief funds in the event of a declared disaster in Randolph County; and

WHEREAS, the City of Asheboro recognizes the value of having a plan in place for identifying, prioritizing, and mitigating potential and real hazards that could affect the city; and

WHEREAS, Randolph County, the Cities of Archdale, Asheboro, Randleman, and Trinity, and the Towns of Franklinville, Liberty, Ramseur, Seagrove, and Staley have prepared a Multi-Jurisdictional Hazard Mitigation Plan and have revised the Plan as suggested by the North Carolina Division of Emergency Management after its submittal to the State and to County, City, and Town Departments for review and comment; and

WHEREAS, the North Carolina Division of Emergency Management has endorsed the proposed Randolph County Multi-Jurisdictional Hazard Mitigation Plan.

NOW, THEREFORE, BE IT RESOLVED by the Asheboro City Council that it adopts the Randolph County Multi-Jurisdictional Hazard Mitigation Plan.

BE IT FURTHER RESOLVED that Council directs the City Manager to annually review the plan and propose revisions to Subsection 2: City of Asheboro Hazard Mitigation Plan when new data and information become available, as mitigation measures are achieved, and as mitigation strategies evolve; and

FURTHER, that the City of Asheboro may update and revise Subsection 2: City of Asheboro Hazard Mitigation Plan as it relates its jurisdictional area but does not affect any other jurisdiction. If any revision, update or amendment involves more than one jurisdiction, then the updates and revisions must be approved by all Commissioners and City and Town Councils of those jurisdictions which are affected. Copies of any revision, amendment or update to the plan by the City of Asheboro must be sent to Randolph County to be filed with the Clerk and added to the Randolph County Multi-Jurisdictional Hazard Mitigation Plan; and

FURTHER, that after every five-year cycle, the hazard analysis, vulnerability assessment and local capability sections of the plan will be reviewed, revised, and submitted to the respective County Board of Commissioners, and City and Town Councils for its review prior to resubmission to the NC Division of Emergency Management and FEMA for approval.

FURTHER, that administrative changes, wording corrections, or insubstantial changes do not require additional action by the County Board of Commissioners or City and Town Councils. However, changes that may have a significant impact or significant expenditure of non-budgeted funds, may require action by respective elected bodies.

Adopted by the Asheboro City Council this the 5th day of August, 2004.

S/ David H. Jarrell
Mayor

ATTEST:

S/ Carol J. Cole
City Clerk

5. Appearance and Recognition of Other Guests and Citizens.

Mayor Jarrell welcomed everyone in attendance.

6. Consent Agenda.

Upon motion by Mr. Crisco and seconded by Mr. Priest, council voted unanimously to approve the following items:

(a) Minutes of Previous Meetings

The minutes of the regular meeting of July 8, 2004 and the minutes of the special meeting and closed session of July 12, 2004 were approved as presented.

(b) Closing of Streets for Fall Festival XXXII

A request by Philip Shore, executive director, Randolph Arts Guild, to close the usual downtown streets for Fall Festival XXXII scheduled for October 1, 2 & 3, 2004.

(c) Closing of Streets for Tractor Parade

A request by Alex Gilmore to close certain downtown streets for a tractor parade to be held at 10:00 AM on October 9, 2004. The parade will consist of 75 to 100 tractors and will last 1 to 1 ½ hours. The purpose of the parade is to raise money for Brenners Children's Hospital.

(d) Closing of Streets for Car Show

A request by Zooland Region Antique Automobile Club of America to close certain downtown streets for a car show to be held September 24-25, 2004.

(e) Ordinance Authorizing a Stop Sign to be Installed to Stop Traffic on Lexington Place in Lexington Commons Drive Entering Lexington Place in Lexington Commons Phase Two Subdivision

26 ORD 8-04

An Ordinance Authorizing a Stop Sign To Be Installed to Stop Traffic on Lexington Commons Drive Entering Lexington Place in Lexington Commons Phase Two Subdivision

BE IT ORDAINED by the City Council of the City of Asheboro:

Pursuant to Chapter 70, Section 70.29 of the Code of the City of Asheboro, the City Manager is hereby ordered to cause the installation of a stop sign as described below on a street that lies within the corporate boundary of the City of Asheboro:

- Stop traffic on Lexington Commons Drive entering Lexington Place

Adopted in Regular Meeting held on August 5, 2004.

S/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

S/ Carol J. Cole
Carol J. Cole, City Clerk

(f) Ordinance Amending Schedule 20 (Restrictions on Use of Play Vehicles on Private Property) of Chapter 72 of the Code of Asheboro

AN ORDINANCE PROHIBITING ANY PERSON FROM RIDING ON A SKATEBOARD, ROLLER SKATES, OR ANY OTHER TYPE OF TOY VEHICLE ON POSTED PRIVATE PROPERTY

WHEREAS, Section 160A-174(a) of the North Carolina General Statutes provides that a city may define, prohibit, regulate, 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 in the following manner:

§ 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 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 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, certain owners of private property have previously petitioned the City Council of the City of Asheboro to have their property 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, roller skates, or any other toy vehicle on said property; and

WHEREAS, the City Council of the City of Asheboro deems it desirable to reaffirm the validity of the existing prohibition on the use of play vehicles on the said tracts of private property and to add descriptions of these affected tracts of land to Schedule 20 of Chapter 72 of the Code of Asheboro.

NOW, THEREFORE, BE IT ORDAINED 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 unlawful for any person to ride on a skateboard, roller skates, or any other toy vehicle on the private property of Wachovia Bank, Acme McCrary Employees' Recreation Association, RBC Centura, and Asheboro Urology Clinic, said private property is more particularly described as follows:

- (a) The Wachovia Bank property located at 15 South Fayetteville Street.
- (b) The Acme McCrary Employees' Recreation Association property located at 148 North Street.
- (c) The RBC Centura property located at 115 South Fayetteville Street.
- (d) The RBC Centura property located at 1425 North Fayetteville Street.
- (e) The Asheboro Urology Clinic, PA property located at 283 White Oak Street.

Section 2. The number and type of signs necessary to lawfully implement the provisions of Section 1 of this ordinance shall be erected or installed in a manner to be determined by the chief of police or his designee, and the entirety of the cost of erecting or installing the necessary signs shall be paid by the property owner requesting the adoption of an ordinance prohibiting the use of play vehicles on its particular parcel of property.

Section 3. The city clerk shall enter a description in Schedule 20 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 become effective upon adoption.

Adopted in regular session this the 5th day of August, 2004.

S/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

S/ Carol J. Cole
Carol J. Cole, CMC, City Clerk

7. Public Hearing on Zoning Matter.

Mayor Jarrell opened the public hearing on the following request:

- (a) Rezone From I-2 Industrial to B-3 Commercial (RZ-04-22): The property of Schwarz Properties, LLC, located at 130 South Church Street, totaling approximately 11,117 sq. ft., more specifically identified by Randolph County Parcel ID Number 7751722580.

Mr. Neely described the aforementioned property and stated that South Church Street is a major thoroughfare. The site is served by all city services. The area is characterized by a mix of industrial, commercial, and residential uses. The site is within the Central Activity Center. A two-story structure is located on the site.

Both the staff and planning board recommended approval, as the request complies with the goals, policies and map of the Land Development Plan.

Mr. Charles Willard, applicant, was present to answer questions.

There being no further comments nor opposition from the public, Mayor Jarrell closed the public hearing.

Upon motion by Mr. Smith and seconded by Mr. Crisco, council unanimously ordained to accept the recommendation from the planning board for approval.

8. Subdivision.

- (a) Sketch Design Approval for Stone Haven Subdivision (SUB-04-5)

Mr. Neely presented the sketch design for Stone Haven Subdivision, which is located on Tory Lane. This subdivision contains 61.206 acres and consists of 41 lots, with the average lot size being 1.49 acres. S. L. Stone Construction, Inc., applicant, has requested a variance from the curb and gutter requirement and a variance from the 500-foot length of street requirement for the cul-de-sac.

The planning board recommended approval of the sketch design with comments stated by Mr. Neely. The planning board also recommended approval of the variance for the cul-de-sac length but denied the variance for the curb and gutter requirement.

Mr. Steve Stone, developer, appeared before council and stated that they requested a variance for the cul-de-sac length because Tory Lane is not wide enough to circle and do a return street back to Tory Lane. They have made provisions for three areas for future outlets which would bring the length to cul-de-sac back into the realm of the city's requirements. This would probably relieve a landlocked situation for the adjoining property owners.

Mr. Stone stated that their request for a variance from the curb and gutter requirement was made because the land proposed for development is located in a very rural area. The subject property is also located in the City of Asheboro's watershed. A curb and gutter system would deliver large volumes of water at high speeds to one or two locations within the stream bed, which would bring with it more pollutants than a typical ditch system.

After some discussion, Mr. Smith moved that council approve the sketch design with the comments from the planning board and to approve the variance for the cul-de-sac length. Mr. Priest seconded the motion, which carried unanimously. (The request for a variance from the curb and gutter requirement was denied.)

9. Request by Mr. Fred Walker for a No Parking Sign on the West Side of South Church Street.

Mr. Fred Walker appeared before council and requested that a "No Parking" sign be erected on the west side of South Church Street between Freedom Drive and West Academy Street. Mr. Walker presented a petition with signatures of residents also requesting the "No Parking" sign.

Upon motion by Mr. McGlohon and seconded by Mr. Crisco, council voted unanimously to approve this request and directed the city attorney to prepare a formal ordinance.

10. Petition Received From Mallory D. Goldston Requesting Contiguous Annexation of 0.162 Acre at 520 Glovinia Street.

Mr. Bunker reported that a petition has been received from Mallory D. Goldston requesting contiguous annexation of 0.162 acre at 520 Glovinia Street. He presented and recommended adoption of a resolution directing the city clerk to investigate said annexation petition.

Upon motion by Mr. Smith and seconded by Mrs. Carter, council voted unanimously to adopt the following resolution by reference:

37 RES 8-04

**RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE
ANNEXATION PETITION
(0.162 of an Acre of Land Located at 520 Glovinia Street)**

WHEREAS, a petition requesting annexation of an area described in said petition as approximately 0.162 of an acre of land located at 520 Glovinia Street has been received by the City Council of the City of Asheboro; and

WHEREAS, Section 160A-31 of the North Carolina General Statutes provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Asheboro deems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, North Carolina, on this 5th day of August, 2004, that the City Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as practicable to the City Council the results of her investigation.

S/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

S/ Carol J. Cole
Carol J. Cole, CMC, City Clerk

**CERTIFICATE OF SUFFICIENCY
(0.162 of an Acre of Land Located at 520 Glovinia Street)**

TO: The City Council of the City of Asheboro, North Carolina

I, Carol J. Cole, City Clerk of the City of Asheboro, North Carolina, do hereby certify that I have investigated the petition attached hereto. As a consequence of that investigation, I have found as a fact that said petition is signed by all owners of real property lying in the area described therein, and the petition appears to be sufficient to satisfy the provisions of Section 160A-31 of the North Carolina General Statutes

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Asheboro, North Carolina on this 5th day of August, 2004.

(SEAL)

S/ Carol J. Cole
Carol J. Cole, CMC, City Clerk

After the city clerk certified as to the sufficiency of said annexation petition, Mr. Bunker presented and recommended adoption of a resolution fixing the date of the public hearing on the question of annexation.

Upon motion by Mr. Priest and seconded by Mrs. Hunter, council voted unanimously to adopt the following resolution by reference:

38 RES 8-04

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF
ANNEXATION PURSUANT TO SECTION 160A-31 OF THE NORTH CAROLINA
GENERAL STATUTES
(0.162 of an Acre of Land Located at 520 Glovinia Street)**

WHEREAS, a petition requesting annexation of the area described herein has been received;
and

WHEREAS, the City Council of the City of Asheboro, North Carolina has, by resolution, directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, North Carolina, on this 5th day of August, 2004, as follows:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the City of Asheboro Municipal Building, which is located at 146 North Church Street in the City of Asheboro, North Carolina, at 7:00 o'clock p.m. on the 9th day of September, 2004; and

Section 2. The area proposed for annexation is described on the attached sheet, which is identified as Exhibit 1 and incorporated by reference as if copied fully herein; and

Section 3. Notice of said public hearing shall be published in *The Randolph Guide*, a newspaper having general circulation in the City of Asheboro, at least ten (10) days prior to the date of said public hearing.

S/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

S/ Carol J. Cole
Carol J. Cole, CMC, City Clerk

Exhibit 1

Asheboro Township, Randolph County, North Carolina:

BEGINNING at a control corner that is set with an existing iron pipe at the northeastern corner of the Mallory D. Goldston property described in Deed Book 1565, Page 66, Randolph County Registry and that is identified as Lot # 218 on a plat of survey recorded in Plat Book 1, Page 199, Randolph County Registry, said control corner is located South 78 degrees 05 minutes 20 seconds East 3053.22 feet from City of Asheboro Monument # 103 which is itself located by means of the North Carolina Coordinate System at the coordinates of North 715,918.921 feet and East 1,760,603.013 feet (NAD 27); thence from said Beginning point South 02 degrees 03 minutes 57 seconds West 50.63 feet along the Mallory Goldston property described in Deed Book 1722, Page 1377, Randolph County Registry to a control corner set with an existing iron pipe; thence South 83 degrees 38 minutes 57 seconds West 124.00 feet along the Mt. Olive Fire Baptized Holiness Church of God property described in Deed Book 1854, Page 1029, Randolph County Registry to a point not found on the eastern line of the 40 foot right-of-way for Glovinia Street; thence South 83 degrees 38 minutes 57 seconds West 8.28 feet to a point not set within the right-of-way for Glovinia Street and on the existing corporate limits line for the City of Asheboro; thence along the existing corporate limits line for the City of Asheboro the following course and distance: North 19 degrees 00 minutes 40 seconds West 50.62 feet to a point not set; thence North 83 degrees 19 minutes 57 seconds East 10.11 feet to a point not found on the eastern line of the 40-foot wide right-of-way for Glovinia Street; thence North 83 degrees 19 minutes 57 seconds East 115.72 feet along the Richard C. and Mildred Shaw property described in Deed Book 1666, Page 1442, Randolph County Registry to an existing iron pipe; thence North 83 degrees 39 minutes 11 seconds East 24.97 feet to the point and place of the BEGINNING, and containing 0.162 of an acre, more or less.

This above-listed description is in accordance with a plat of survey entitled "Annexation Plat Prepared For City of Asheboro, Property of Mallory Desmond Goldston." This plat of survey was drawn by the City of Asheboro Engineering Department under the supervision of Philip M. Henley, Professional Land Surveyor with Registration Number L-1494, from an actual survey made under his supervision by the City of Asheboro Engineering Department. Said plat of survey is dated July 14, 2004.

11. Ordinance Declaring Speed Limit Modifications Along Zoo Parkway (NC 159) and Request for Concurring Ordinance by the NC Department of Transportation.

The NC Department of Transportation conducted a speed zone study of Zoo Parkway. As a result of this study, the DOT recommended that the speed limit be reduced for a portion of Zoo Parkway from 45 MPH to 35 MPH. Mr. Bunker presented and recommended adoption of an ordinance declaring speed limit modifications along Zoo Parkway (NC 159) and a request for a concurring ordinance by the NC Department of Transportation.

Upon motion by Mr. Baker and seconded by Mrs. Carter, council voted unanimously to adopt the following ordinance by reference:

28 ORD 8-04

**ORDINANCE DECLARING CERTAIN MODIFICATIONS TO THE SPEED LIMIT
ALONG A PORTION OF ZOO PARKWAY (NC 159)**

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 Statutes 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(f) of the North Carolina General Statutes provides in pertinent part as follows:

Whenever local authorities within their respective jurisdictions determine upon the basis of an engineering and traffic investigation that a higher maximum speed that those set forth in subsection (b) is reasonable and safe, or that any speed hereinbefore set forth is greater than is reasonable and safe, under the conditions found to exist upon any part of a street within the corporate limits of a municipality and which street is a part of the State highway system (except those highways designated as part of the interstate highway system or other controlled-access highway) said local authorities shall determine and declare a safe and reasonable speed limit. A speed limit set pursuant to this subsection may not exceed 55 miles per hour. Limits set pursuant to this subsection shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit; and

WHEREAS, Zoo Parkway (NC 159) is located within the corporate limits of the City of Asheboro, and said street is a part of the State highway system; and

WHEREAS, the City of Asheboro has received the results of a speed zone study, which was conducted by the North Carolina Department of Transportation, of Zoo Parkway and that considered by way of illustration and not limitation development levels, crash patterns, and the fact that the North Carolina Zoo, which is accessed through its main entrance from Zoo Parkway, generates a certain amount of traffic that is unfamiliar with the area; and

WHEREAS, the above-referenced speed zone study identified an engineering basis for reducing the speed limit for a portion of Zoo Parkway, which is more specifically described below, from the current speed limit of 45 miles per hour to a speed limit of 35 miles per hour as prescribed by Section 20-141(b)(1) of the North Carolina General Statutes.

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

Section 1. On the basis of the above-referenced speed zone study that was conducted by the North Carolina Department of Transportation in accordance with the statutory authority found in Section 20-141(f) of the North Carolina General Statutes, the current speed limit of 45 miles per hour is hereby declared to be rescinded for that portion of Zoo Parkway identified as extending from a point located approximately 0.07 of a mile north of Crestview Church Road (SR 2820), which is the location of the southern corporate limit line for the City of Asheboro, northward to a point located approximately 0.03 of a mile north of Ridge Street (SR 2915).

Section 2. On the basis of the above-referenced speed zone study that was conducted by the North Carolina Department of Transportation in accordance with the statutory authority found in Section 20-141(f) of the North Carolina General Statutes, a speed limit of 45 miles per hour is hereby declared for that portion of Zoo Parkway identified as extending from a point located approximately 0.07 of a mile north of Crestview Church Road (SR 2820), which is the location of the southern corporate limit line for the City of Asheboro, northward to a point located approximately 0.05 of a mile north of Brownmire Road (SR 2941).

Section 3. A request is hereby made of the Department of Transportation to adopt an ordinance that concurs with the speed limit declarations made by the City Council of the City of Asheboro in Sections 1 and 2 of this ordinance.

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

Section 5. This ordinance shall become effective upon adoption by the North Carolina Department of Transportation of a concurring ordinance and the erection of signs giving notice of the authorized speed limit.

Adopted in regular session this 5th day of August, 2004.

ATTEST:

S/ Carol J. Cole
Carol J. Cole, CMC, City Clerk

S/ David H. Jarrell
David H. Jarrell, Mayor

12. Bids Received for a Pothole Patcher Truck.

Mr. Bunker reported that the following bids were received at 2:00 PM, August 3, 2004, for a pothole patcher truck and equipment for the street department. These bids include the truck cab and chassis with mounted equipment for heated asphalt storage and accessories necessary for preparation, placing and compacting hot asphalt:

<u>Bidder</u>	<u>Base Bid w/o Use Tax Truck w/ Crew-Cab & Delivery Time</u>	<u>Alternate Bid w/o Use Tax w/Regular Cab & Delivery Time</u>
Public Works Equip. & Supply, Inc. 3405 Westwood Industrial Drive Monroe, NC 28110-5208	\$ 122,490 150 Days	\$ 108,550 3 Days
Sansom Equipment Co., Inc. 1225 Vanderbilt Road Birmingham, AL 25234	\$ 128,000 120-150 Days	No Bid
Virginia Public Works Equip. Co. 10979 Richardson Road Ashland, VA 23005	\$ 129,569 150 Days	\$ 124,703 150 Days

Mr. Bunker recommended that the alternate bid of \$108,550 w/o use tax by Public Works Equipment and Supply, Inc. be accepted based on the low bid received, with funding from budgeted funds in the Street Maintenance Department Powell Bill Account # 10-565.74.

Upon motion by Mr. Priest and seconded by Mrs. Hunter, council voted unanimously to accept Mr. Bunker's recommendation.

13. Resolution Authorizing the City Manager and His Designees to Submit an Application for Funding Under the Federal Local Law Enforcement Block Grant Program.

Captain S. A. Vuncannon, Jr., with the Asheboro Police Department, reported that the Governor's Crime Commission of the NC Department of Crime Control and Public safety has notified the police department that it has qualified for a federal grant award of \$10,500 to purchase equipment or to provide overtime pay to agency personnel. In order to receive this grant, the City of Asheboro must commit an additional \$1,167 and submit an application packet. Captain Vuncannon requested council to authorize the submission of an application packet for funds under the Local Law Enforcement Block Grant Program. The funds will be used to purchase a Mobile Data Terminal and computer hardware.

Upon motion by Mr. Smith and seconded by Mrs. Carter, council voted unanimously to adopt the following resolution authorizing this request.

39 RES 8-04

**RESOLUTION AUTHORIZING THE CITY MANAGER AND HIS DESIGNEES
TO SUBMIT AN APPLICATION PACKET FOR FUNDS UNDER THE
LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM**

WHEREAS, during its regularly scheduled meeting on August 5, 2004, the City Council of the City of Asheboro received information and evidence from the City Manager and officials of the Asheboro Police Department indicating that a certain amount of funding for a Mobile Data Terminal and computer hardware could potentially be received from the Governor's Crime Commission, which is a component of the North Carolina Department of Crime Control and Public Safety, if a proper application for said funds is submitted in a timely manner; and

WHEREAS, as part of a properly submitted application for said funds, the City Manager and his designees must be able to certify that the city is eligible to participate in the above-referenced program and that the City Manager and his designees are lawfully authorized to bind the City of Asheboro to comply with the terms and conditions of the requested grant of funds; and

WHEREAS, a copy of the entirety of the application packet that is to be submitted in order to apply for the above-referenced grant has been attached to this resolution as "EXHIBIT A" and is hereby incorporated into this resolution by reference as if copied fully herein; and

WHEREAS, on the basis of its review of the contents of said application and the presentation made by members of the city's professional staff, the City Council has determined that the terms and conditions of the grant application are acceptable and that the receipt of said funding would enhance public safety by enabling officers of the Asheboro Police Department to more effectively and efficiently complete their day-to-day tasks.

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

Section 1. The City Council of the City of Asheboro does hereby assert and certify that the City of Asheboro is eligible to participate in the Local Law Enforcement Block Grant Program and does hereby accept the terms and conditions specified in "EXHIBIT A" as binding on the City of Asheboro.

Section 2. The City Manager and his designees are hereby authorized and directed to undertake and execute on behalf of the City of Asheboro any and all applications, instruments, certifications, conferences/meetings, public hearings, and/or other actions deemed strictly necessary to both successfully complete the application process described in "EXHIBIT A" and to remain in compliance with the program requirements of the Local Law Enforcement Block Grant Program.

Adopted in regular session on this the 5th day of August, 2004.

S/ David H. Jarrell
David H. Jarrell, Mayor

ATTEST:

S/ Carol J. Cole
Carol J. Cole, CMC, City Clerk

("Exhibit A" that is referenced in the above resolution is attached to the original resolution on file in the city clerk's office.)

14. Finance and Public Safety & Public Works Matters.

No official meetings were held.

15. Items Not on the Agenda.

(1) Mr. Kurt Teague, a resident of 116 Sheffield Street, requested that his street be paved.

(2) Mr. Alex Gilmore reported that the upcoming Tractor Parade scheduled for October 9, 2004 is a non-profit event with proceeds going to Brenners Children's Hospital. He hopes that this will become an annual event. Mr. Gilmore asked that the City promote the Tractor Parade.

(3) Mr. Baker recommended that the speed limit be reduced to 25 MPH on Shamrock Road, from Dixie Drive to Worth Street. Mr. Ogburn stated that he will have a speed zone study conducted.

There being no further business, the meeting was adjourned at 8:20 PM.

Carol J. Cole, CMC, City Clerk

David H. Jarrell, Mayor

