RESOLUTION NO. 15-207

RESOLUTION NAMING CITY OF ASHEVILLE FIRE STATION NUMBER 8 IN MEMORY OF FIREFIGHTER JIMMIE EDWARD TRENT

WHEREAS, the City of Asheville has a policy for naming City of Asheville Facilities; and

WHEREAS, City of Asheville Firefighter Jimmie Edward Trent tragically perished in the line of duty on November 13th, 1975, from a heart attack while fighting a fire at the Red Chair Restaurant at 1 North Pack Square; and

WHEREAS, Asheville City Council would like to honor Firefighter Trent's honorable service and sacrifice by naming City of Asheville Fire Station Eight after him;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

City of Asheville Fire Station 8 is named in memory of City of Asheville Firefighter Jimmie Edward Trent.

Read, approved, and adopted this 10th day of November, 2015.

Magdalen Burleson
City Clerk

Esther Manheimer
Mayor

Approved as to form:

City Attorney

RESOLUTION NO. 15-208

RESOLUTION AUTHORIZING THE CITY MANAGER TO SELL REAL PROPERTY LOCATED at 600 N. SKYLOFT DRIVE, UNIT A-201 for $140,000 SUBJECT TO CERTAIN RESTRICTIONS

WHEREAS, the City of Asheville holds title to real property located at 600 N. Skyloft Drive, Unit A-201, identified as PIN # 9648-68-1640-C0201; and

WHEREAS, the City purchased this property at a foreclosure sale for the purchase price of $100,438 in order to secure a Housing Trust Fund debt on the Property that was owed to the City; and

WHEREAS, North Carolina General Statute 153A-163 authorizes a city that acquires a property by foreclosure for the aforementioned reason to sell said property by private sale for not less than the amount of its bid; and

WHEREAS, North Carolina General Statue 160A-267 provides for the sale of real property by authorizing the appropriate city official(s) to dispose of the property by private sale at a negotiated price and to publish a notice of sale;

WHEREAS, the property is not needed by the City of Asheville; and

WHEREAS, the City of Asheville has received an offer to purchase said property from Aubrey Ray in the amount of $ 140,000; and

WHEREAS, the City of Asheville intends to convey the property subject to income eligibility, permanent deed restrictions concerning long-term affordability of the unit, and a requirement that the unit must be the primary residence of the owner;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Pursuant to North Carolina General Statute 160A-267, the City Manager is hereby authorized to dispose of city owned real property located at 601 N. Skyloft Drive, Unit A-201 to Aubrey Ray for $140,000. Additionally, the City Clerk is hereby directed to publish a notice of the intent of the City of Asheville to sell real property located at 601 N. Skyloft Drive, Unit A-201. The notice shall contain a general description of the property, the amount and terms of the sale and the restrictions referenced above. No sale shall be consummated until 10 days after its publication.

In the event that Aubrey Ray cannot complete the transaction due to financing issues or otherwise, then the City Manager is hereby directed to dispose of the property for the amount of $140,000 to an eligible buyer subject to the affordability restrictions as recognized above. Additionally, the City Manager is hereby authorized to execute any and all documents necessary to give full effect to this resolution subject to approval by the City Attorney, and compliance with applicable North Carolina law.

Read and approved and adopted this 10th day of November, 2015.

Magdalen Burleson
CITY CLERK

Esther Manheimer
MAYOR

Approved as to form:

CITY ATTORNEY

RESOLUTION NO. 15- 209

RESOLUTION OF INTENT TO PERMANENTLY CLOSE AN UNNAMED ALLEY OFF OF JARRETT ST.

WHEREAS, the City of Asheville is hereby declaring its intent to permanently close a an unnamed alley off of Jarrett St; and

WHEREAS, said right-of-way is not under the control of the N.C. Dept. of Transportation;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The City Council hereby declares its intent to permanently close an unnamed alley off of Jarrett St, described as follows:

   That portion of Jarrett Street shown as the "Unopened Road, 20' Right of Way, per P.B. 4, Pg. 22," as shown on a survey drawn by Freeland-Clinkscales & Associates, Inc. for T S Investments, LLC, dated May 21, 2009; a copy of said survey can be found in the Office of the City Clerk.

2. A public hearing on the question of permanently closing an unnamed alley off of Jarrett St, is hereby called for on December 8, 2015, at the regular meeting of the City Council beginning at 5:00 pm., in the City Council Chambers, 2nd floor of the City Hall Building, Asheville, North Carolina.

3. This resolution shall be published in a newspaper of general circulation in Buncombe County, North Carolina, once per week for four successive weeks prior to the aforesaid public hearing on a December 8, 2015.

4. The notice of closing and the public hearing herein ordered (copy of this resolution being sufficient for the purpose of said notice), shall be prominently posted in at least two places along the unnamed alley off of Jarrett St. Additionally, a copy of this resolution of intent shall be sent by registered or certified mail to all owners of property abutting this alley, not joining in the petition to close, as shown on the Buncombe County tax maps. The persons effecting the said posting and mailing shall file an affidavit thereof with the City Clerk prior to the public hearing scheduled herein.

Read, approved and adopted this 10th day of November, 2015.

Magdalen Burleson
City Clerk

Esther Manheimer
Mayor

Approved as to form:

City Attorney

RESOLUTION NO. 15-210

RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH ECONOMIC DEVELOPMENT COALITION OF ASHEVILLE BUNCOMBE COUNTY FOR SUPPORT FOR 2015-16 BUDGET YEAR

WHEREAS, the City of Asheville has authority pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts with other entities; and

WHEREAS, City Council adopted the budget for FY 2015-16 on June 23, 2015; and

WHEREAS, support for the Economic Development Coalition of Asheville Buncombe County (EDC) was approved in the budget in the amount of $100,000; and

WHEREAS, the City of Asheville receives research and reports, site selection and retention and expansion project management, entrepreneurship development, and economic development marketing from the EDC; and

WHEREAS, this contract requires City Council approval due to the contracted amount of $100,000 which exceeds the amount authorized for the City Manager to execute;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

City Council authorizes the City Manager to execute the MOU between the City of Asheville and the Economic Development Coalition of Asheville Buncombe County (EDC) which was approved as part of the City budget adoption in Ordinance No 4431, adopted on June 23, 2015.

Read and approved and adopted this 10th day of November, 2015.

Magdelen Burleson
CITY CLERK

Esther Manheimer
MAYOR

Approved as to form:

CITY ATTORNEY

RESOLUTION NO. 15-211

RESOLUTION APPOINTING MEMBERS TO THE ALCOHOLIC BEVERAGE CONTROL BOARD

WHEREAS, the terms of Edward Hay and Robin Cape, as members on the Alcoholic Beverage Control Board, expires on November 13, 2015;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Mr. Edward Hay, 210 Blake Mountain Circle, Asheville, N.C., be and he is hereby reappointed as a member of the Alcoholic Beverage Control Board, to serve an additional three-year term, term to expire November 13, 2018, or until his successor has been appointed.

Ms. Robin Cape, 45 Sunnycrest Drive, Asheville, N.C., be and she is hereby reappointed as a member of the Alcoholic Beverage Control Board, to serve an additional three-year term, term to expire November 13, 2018, or until her successor has been appointed.

Read, approved and adopted this 10th day of November, 2015.

Magdalen Burleson
CITY CLERK

Esther Manheimer
MAYOR

Approved as to form:

CITY ATTORNEY

RESOLUTION NO. 15-212

RESOLUTION APPOINTING A MEMBER TO THE ASHEVILLE-BUNCOMBE HISTORIC RESOURCES COMMISSION

WHEREAS, Ms. Tracey Rizzo has resigned from the Asheville-Buncombe Historic Resources Commission, thus leaving an unexpired term until July 1, 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Ms. Leslie Klingner, 100 Sunset Drive, Asheville, N.C., be and she is hereby appointed as a member of the Asheville-Buncombe Historic Resources Commission, to serve the unexpired term of Ms. Rizzo, term to expire July 1, 2018, or until her successor has been appointed.

Read, approved and adopted this 10th day of November, 2015.

Magdalen Burleson
CITY CLERK

Esther Manheimer
MAYOR

Approved as to form:

CITY ATTORNEY

RESOLUTION NO. 15-213

RESOLUTION APPOINTING A MEMBER TO THE MULTIMODAL TRANSPORTATION COMMISSION

WHEREAS, Mr. Steven Obremski has resigned from the Multimodal Transportation Commission, thus leaving an unexpired term of an at-large member until July 1, 2017;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Mr. Rich Lee, 172 Deaver Street, Asheville, N.C., be and he is hereby appointed as an at-large member of the Multimodal Transportation Commission, to serve the unexpired term of Mr. Obremski, term to expire July 1, 2017, or until his successor has been appointed.

Read, approved and adopted this 10th day of November, 2015.

Magdalen Burleson
CITY CLERK

Esther Manheimer
MAYOR

Approved as to form:

CITY ATTORNEY