

RESOLUTION NO. 08- 12

RESOLUTION AUTHORIZING CROWELL FARMS DRIVE, EAST FARM CREEK DRIVE, WEST FARM CREEK DRIVE, POLE BARN DRIVE, SILO DRIVE, SLOSMAN DRIVE TO BECOME PUBLICLY MAINTAINED STREETS

WHEREAS, pursuant to G.S. 160A-296, the City has general authority and control over the streets within its jurisdiction, including the acceptance of streets for maintenance purposes; and

WHEREAS, Crowell Farms Drive, East Farm Creek Drive, West Farm Creek Drive, Pole Barn Drive, Silo Drive, Slosman Drive are located in the Corporate Limits of the City of Asheville; and

WHEREAS, Crowell Farms Drive, East Farm Creek Drive, West Farm Creek Drive, Pole Barn Drive, Silo Drive, Slosman Drive are located in the Sardis Road Annexation area; and

WHEREAS, the Annexation Agreement for the Sardis Road area states that the City will accept streets in the annexed areas if the property owners provide the right-of-way.

WHEREAS, dedication of the right-of-way for the street has been recorded;

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

Crowell Farms Drive, East Farm Creek Drive, West Farm Creek Drive, Pole Barn Drive, Silo Drive, Slosman Drive as indicated on the attached map are accepted by the City of Asheville for maintenance.

Read, approved and adopted this 22nd day of January 2008.

Kesha Lipe
City Clerk

Jerry Bellamy
Mayor

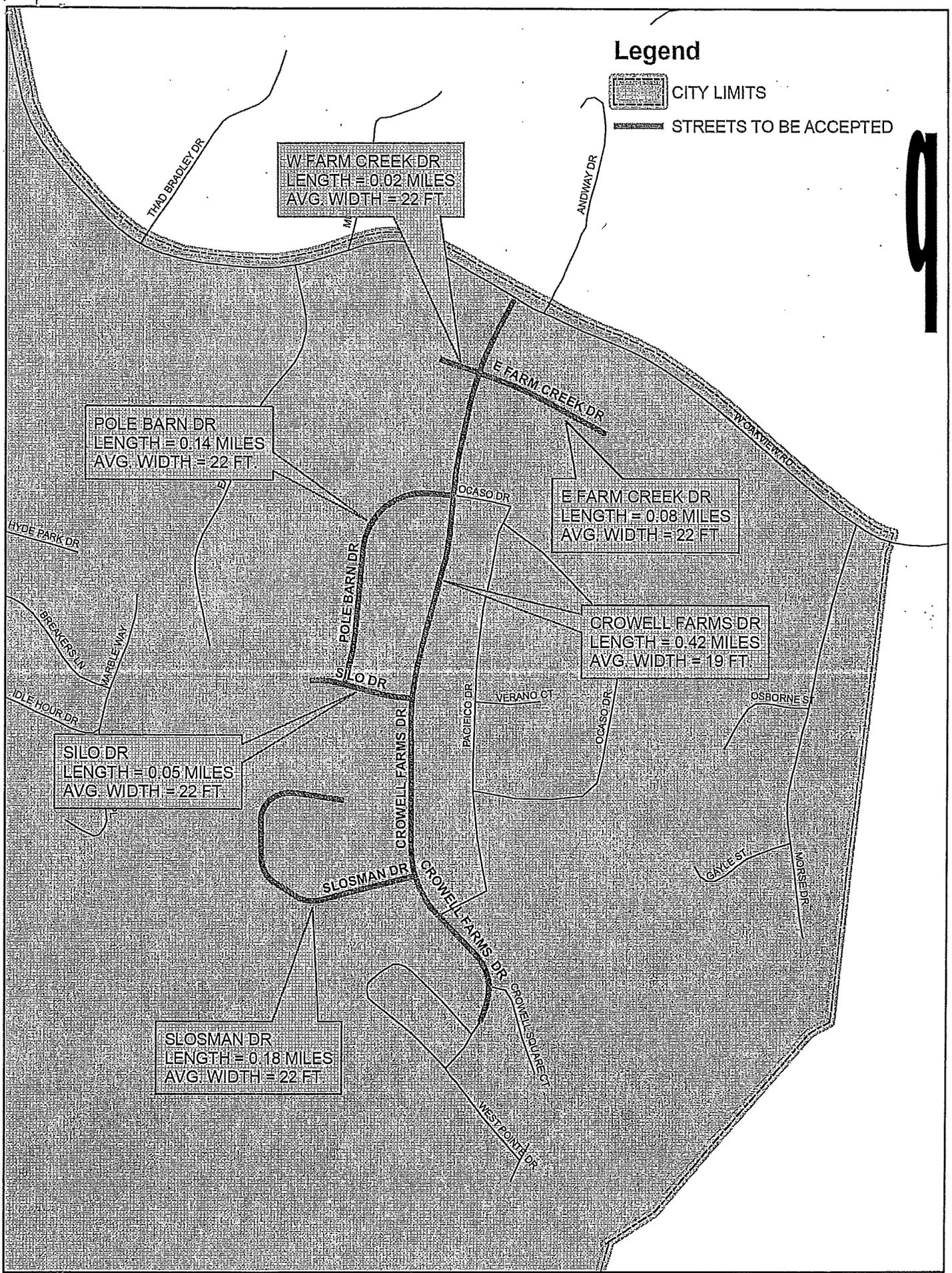
Approved as to form:

[Signature]
City Attorney

Kesha Lipe
City Clerk

Legend

-  CITY LIMITS
-  STREETS TO BE ACCEPTED



9

RESOLUTION NO. 08-13

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE CLEAN WATER MANAGEMENT TRUST FUND FOR A GRANT IN THE AMOUNT OF \$330,000 FOR THE PURPOSES OF CONSTRUCTING WATER QUALITY MEASURES IN THE DINGLE CREEK WATERSHED

WHEREAS, the City has the authority pursuant to N.C.G.S. 160A-17.1 to accept grants from and enter into contracts with other governments; and

WHEREAS, the North Carolina Clean Water Management Trust Fund has authorized the making of grants to aid eligible units of government or non-profit organizations in financing the cost of improvements and/or studies that will impact the quality of affected waterways; and

WHEREAS, the City of Asheville has need for and intends to significantly improve its stormwater management system by constructing improvements in the form of an off-line 1 acre stormwater wetland, 400 feet of stream enhancement and 400 feet of stream stabilization along Dingle Creek. The design of the project was funded by a Clean Water Management Trust Fund planning grant and a second grant application is being submitted to fund construction and administration of the actual implementation; and

WHEREAS, the City of Asheville intends to request grant assistance from the State of North Carolina. Total project cost is estimated to be \$330,000 with the City providing \$66,000 or 20% of that as match;

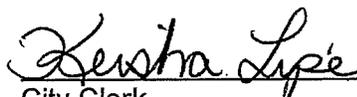
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City of Asheville will perform the functions and obligations of the grant recipient as set out in a grant agreement should this project be chosen for funding.

The City Manager be, and is hereby authorized to execute and file an application on behalf of the City of Asheville with the North Carolina Clean Water Management Trust Fund for a grant to aid in the construction of the project described above.

The City Manager be, and is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project to make the assurances as contained above, and to execute such other documents as may be required in connection with the application.

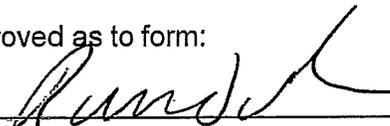
Read, approved and adopted this 22nd day of January, 2008.



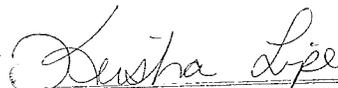
City Clerk



Mayor

Approved as to form:


City Attorney



City Clerk

RESOLUTION NO. 08-14

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (NC DENR) TO DEVELOP STORMWATER BEST MANAGEMENT PRACTICES(BMP) DESIGN GUIDELINES

WHEREAS, the City has authority pursuant to N.C.G.S. 160A-17.1 to apply for and receive funds from the State and to enter into contracts for the administration of said grants; and

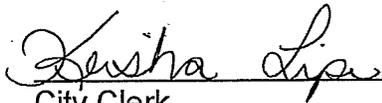
WHEREAS, the City requests funds from DENR to provide financial assistance to the City of Asheville for a Planning Grant for Stormwater BMP Design Guidelines (herein "Project"); and

WHEREAS, the Project will reduce harmful impacts associated with stormwater runoff, increase riparian habitat potential and provide educational opportunities about stormwater treatment and improving water quality;

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

The City Manager is hereby authorized to apply for and enter into an agreement with the North Carolina Department of Environment and Natural Resources, for a grant in the amount of \$24,000, or 50 percent, of the study costs (or non-federal portion), whichever is the lesser amount, to develop a Stormwater Best Management Practices (BMP) design guidelines.

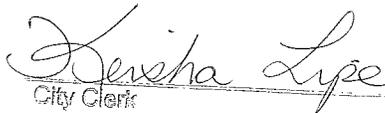
Read, approved and adopted this 22nd day of January, 2008.


City Clerk


Mayor

Approved as to form:


City Attorney


City Clerk

RESOLUTION NO. 08-15

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR A GRANT WITH THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (NC DENR) TO CONSTRUCT STORMWATER BEST MANAGEMENT PRACTICES (BMP) AT THE STEVENS-LEE CENTER

WHEREAS, pursuant to N.C.G.S. 160A-17.1 the City is authorized to apply for and accept grants from the federal and state governments; and

WHEREAS, the City of Asheville desires to improve water quality by installing various types of Best Management Practices to determine their effectiveness; and

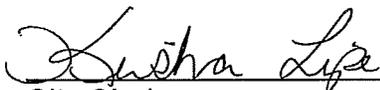
WHEREAS, the City of Asheville desires to sponsor the Water Management Project for the Stevens-Lee Center (herein "Project") to reduce stormwater runoff, increase habitat, and provide educational opportunities about stormwater treatment; and

WHEREAS, the City is requesting financial assistance in the amount of \$66,000, or 66.6% of the construction costs, whichever is the lesser amount for the Project; and

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

The City Manager is hereby authorized to apply for and enter into an agreement with the North Carolina Department of Environment and Natural Resources, for a grant in the amount of \$66,000, or 66.6 percent, of the construction costs, whichever is the lesser amount, to construct Stormwater Best Management Practices (BMP) at the Stevens-Lee Center.

Read, approved and adopted this 22nd day of January, 2008.

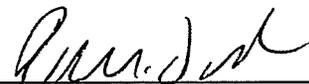


City Clerk

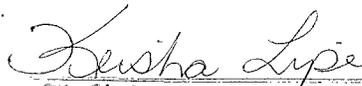


Mayor

Approved as to form:



City Attorney



City Clerk

RESOLUTION NO. 08-16

RESOLUTION ACCEPTING THE WEST END CLINGMAN AVENUE NEIGHBORHOOD CITIZENS MASTER PLAN AS A COMPANION DOCUMENT TO THE COMPREHENSIVE PLAN ADOPTED BY THE CITY OF ASHEVILLE

WHEREAS, the City of Asheville has the authority, pursuant to N.C.G.S. 160A-361 to designate boards and commissions to perform certain planning functions; and

WHEREAS, the West End Clingman Avenue Neighborhood (WECAN) Citizens Master Plan was developed as a partnership among public agencies with neighborhood involvement; and

WHEREAS, the WECAN Citizens Master Plan provides a community formulated improvement and infill development vision plan; and

WHEREAS, the WECAN Master Plan was reviewed and recommended for approval by the Asheville Planning and Zoning Commission; and

WHEREAS, the Plan is consistent with the Asheville City Development Plan 2025, Smart Growth policies, and other official plans of the City;

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

The West End Clingman Avenue Neighborhood Citizens Master Plan is hereby adopted as a companion document to the Asheville City Development Plan 2025.

Read, approved, and adopted this 22nd day of January, 2008.

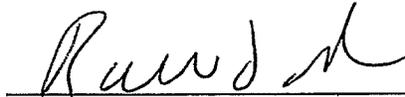


City Clerk

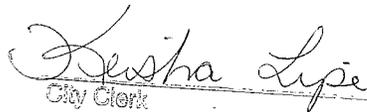


Mayor

Approved as to form:



City Attorney



City Clerk

RESOLUTION NO. 08- 17

RESOLUTION APPROVING AMENDMENTS TO LEASE TO AIRPORT AUTHORITY

WHEREAS, in 1980 the City entered into a lease whereby the City leased the real property on which the airport is located to the Asheville Regional Airport Authority, an interlocal agency created pursuant to N.C.G.S. 160A-460 et seq; and

WHEREAS, said lease has been amended several times, including extension of the term of the lease to 2018; and

WHEREAS, the City has the authority pursuant to N.C.G.S. 160A-274 and N.C.G.S. 63-53 to enter into leases with governmental agencies for public airport purposes upon such terms as it deems wise; and

WHEREAS, the Authority and the City desire to amend the lease to incorporate previous amendments, and other amendments as set out in the "Restated and Amended City - Airport Authority Lease" (herein "Amended Lease") previously presented to Council and set out in the minutes.

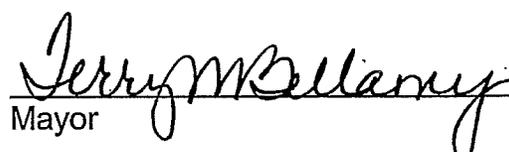
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The Mayor be, and is hereby, authorized to execute the Amended Lease, subject to approval by the City Attorney.

Read, approved and adopted this 22nd day of January, 2008.



City Clerk



Mayor

Approved as to form:



City Attorney



City Clerk

RESOLUTION NO. 08- 18:

RESOLUTION AUTHORIZING CITY TO ENTER INTO AGREEMENT FOR DONATION OF REAL PROPERTY FROM PROGRESS ENERGY CORPORATION

WHEREAS, the City has the authority pursuant to N.C.G.S. 160A-353, to acquire land for public parks and recreation purposes; and

WHEREAS, the City Council has determined that it is in the public interest to investigate the feasibility of acquiring property located at 31 Riverside Drive, and known as the "Former Asheville No. 1 MGP Site," more particularly described in a plat recorded in Plat Book 106 at Page 93, Buncombe County Registry;

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

The City Manager be, and is hereby, authorized to execute the "Agreement for Donation of Real Property: with Progress Energy Corporation, subject to approval by the City Attorney, and to cause the City to undertake appropriate investigation pursuant thereto.

This resolution is expressly limited to the Donation Agreement as set forth above, and shall not be construed as any final approval by the City Council to accept the donation of real property from Progress Energy.

Read, approved and adopted this 22nd day of January, 2008.

Kevisha Lipe

City Clerk

Wynne Bellamy

Mayor

Approved as to form:

[Signature]

City Attorney

Kevisha Lipe

City Clerk