

RESOLUTION NO. 08- 01

RESOLUTION AUTHORIZING THE MAYOR TO CONVEY AIR SPACE ADJACENT TO 150 COXE AVENUE, FOR THE PURPOSE OF ERECTING A PERMANENT BUILDING OR STRUCTURE

WHEREAS, the City of Asheville owns certain property adjacent to 150 Coxe Avenue, being the sidewalk within the right of way of Coxe Avenue; and

WHEREAS, pursuant to N.C.G.S. 160A-273, the City has the authority to grant air rights over public right-of-way for the purpose of erecting a building or other permanent structure; and

WHEREAS, on October 25, 2007, a qualifying offer was received from Zona Lofts, LLC and pursuant to N.C.G.S. 160A-269 the City Clerk advertised for upset bids regarding an offer to purchase air space conditional to the construction of a permanent architectural structures on a proposed building at 150 Coxe Avenue, PIN 9648.06-38-3196, in the amount of \$1,827.36; and

WHEREAS, Notice of the intent of City Council to sell said property to Zona Lofts, LLC for the sum of \$1,827.36 was duly published in the Asheville Citizen-Times on December 14, 2007; and

WHEREAS, the City received no qualifying upset bid in response to said advertisement; and

WHEREAS, the City has no anticipated need for the property;

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

The Mayor is hereby authorized to execute a deed of conveyance and all related documents; upon approval of the City Attorney, in order to convey to Zona Lofts, LLC air space on the condition to construct permanent architectural structures over the sidewalk adjacent to 150 Coxe Avenue, (PIN 9648.06-38-3196); for the sum of \$1,827.36.

Read and approved and adopted this 8th day of January, 2008.


CITY CLERK


MAYOR

Approved as to form:


CITY ATTORNEY


City Clerk

Resolution No. 08- 02

RESOLUTION APPROVING AN AMENDMENT TO THE CONSOLIDATED ACTION PLAN FOR THE CDBG PROGRAM

WHEREAS, the City of Asheville receives annual entitlement grants from the federal Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) programs, to meet the housing needs of low- and moderate-income residents, improve their living conditions and economic opportunities, and eliminate slum and blight; and

WHEREAS, on April 24, 2007, City Council adopted an Annual Action Plan for the use of these funds in FY 2007-2008 and subsequently approved amendments to the Plan on June 28, July 24, and October 23, 2007; and

WHEREAS, further amendment to the Action Plan is now desirable in order to increase the CDBG grant to Consumer Credit Counseling Services of WNC d/b/a/ On Track Financial Education and Counseling (On Track), to assist the agency's Volunteer Income Tax Assistance program for low-income residents;

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

1. The Action Plan for FY 2007 be amended to increase the CDBG grant to On Track from \$30,000 to \$33,500;
2. The City Manager is authorized to amend the CDBG grant agreement with On Track accordingly.

Read, approved and adopted this 8th day of January, 2008.

Kevsha Lipe
CITY CLERK

Greg Bellamy
MAYOR

Approved As To Form:

[Signature]
CITY ATTORNEY

Kevsha Lipe
City Clerk

RESOLUTION NO. 08-03

RESOLUTION AUTHORIZING OAKCREST PLACE IN THE DEEVERVIEW ROAD / BEAR CREEK ROAD AREA OF WEST ASHEVILLE TO BECOME A PUBLICLY MAINTAINED STREET

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

WHEREAS, Oakcrest Place is located in the corporate limits of the City of Asheville; and

WHEREAS, Oakcrest Place was constructed and inspected according to current standards including the City of Asheville's Standard Specifications and Details Manual; and

WHEREAS, the developer is responsible for repairing any major failures to the street including but not limited to drainage infra-structure, street subgrade, pavement structure, sidewalks, and curb and gutter sections within a two-year warranty period; and

WHEREAS, dedication of the 45-foot right-of-way for the street has been recorded in Plat Book 98 Pages 106 & 107;

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

Oakcrest Place is accepted by the City of Asheville for maintenance as indicated on the attached map.

Read, approved and adopted this 8th day of January, 2008.

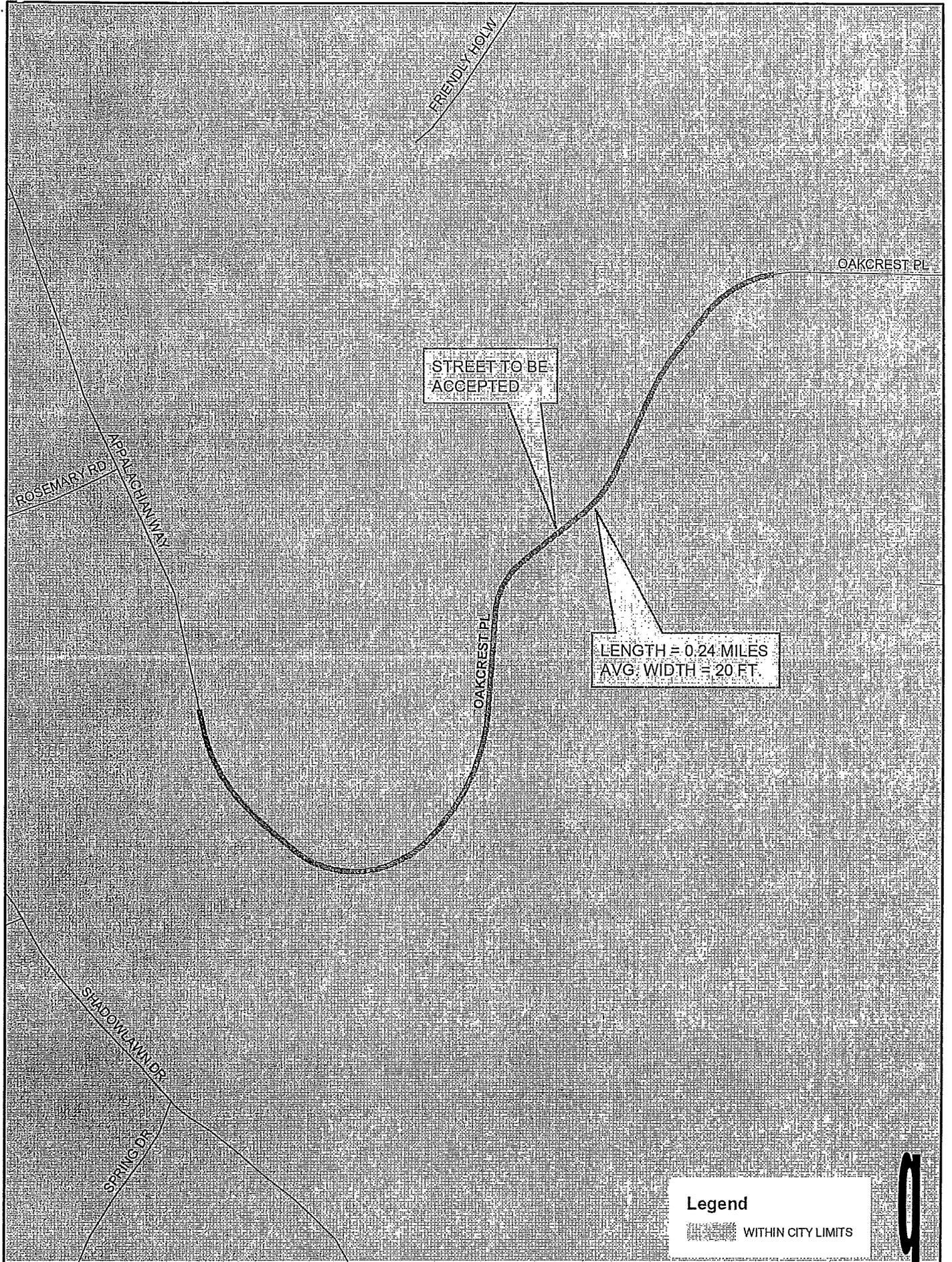
Kesha Lipe
City Clerk

Jerry Bellamy
Mayor

Approved as to form:

Randy
City Attorney

Kesha Lipe
City Clerk



Legend
[Shaded Box] WITHIN CITY LIMITS



RESOLUTION NO. 08- 04

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE PURCHASE AND INSTALLATION OF TWO TELECOMMUNICATIONS MICROWAVE LINKS FOR THE COA 800 MHZ RADIO SYSTEM

WHEREAS, the City has authority pursuant to N.C.G.S. §160A-17.1 to apply for and receive grants from the State and Federal government, and

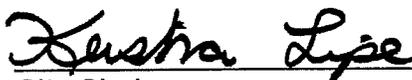
WHEREAS, City staff will submit a grant application to the Federal Emergency Management Agency Pre-Disaster Mitigation grant program, in the amount of \$484,000.00 for the purchase and installation of two wireless telecommunications links; and

WHEREAS, if successful in obtaining those funds, the Federal matching grant will fund 75% of the cost of this project;

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

The City Manager is hereby authorized to apply for a grant with the Federal Emergency Management Agency, for award of a grant in the amount of \$484,000.00 to assist with the purchase and installation of wireless telecommunications equipment.

Read, approved and adopted this 8th day of January, 2008.



 City Clerk

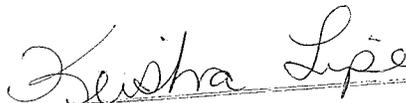


 Mayor

Approved as to form:



 City Attorney



 City Clerk

RESOLUTION NO. 08- 05

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDS UNDER THE NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM TO ASSIST THE ASHEVILLE POLICE DEPARTMENT WITH THE PURCHASE OF TRAFFIC ENFORCEMENT AND INVESTIGATION EQUIPMENT

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 N.C. Governor's Highway Safety Program has invited the City of Asheville to submit a full grant application in the amount of \$10,000 for the purchase of an in-car camera system, a digital still camera, and travel funds for the Liaison position; and

WHEREAS, these items will assist the Asheville Police Department in the investigation of impaired driving offenses and the investigation and documentation of traffic crashes;

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 Governor's Highway Safety Program, for a grant in the amount of \$10,000 with no required match, to assist the Asheville Police Department in the investigation and reduction of traffic crashes.

Read, approved, and adopted this 8th day of January, 2008.

Keisha Lipe
City Clerk

Jerry M Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Keisha Lipe
City Clerk

RESOLUTION NO. 08-06

RESOLUTION REGARDING PROPOSED INCORPORATION OF THE TOWN OF LEICESTER

WHEREAS, pursuant to Article 20 of Chapter 120 of the North Carolina General Statutes, a petition has been submitted to the Joint Legislative Commission on Municipal Incorporation (herein "Commission") for the incorporation of the Town of Leicester in Buncombe County; and

WHEREAS, the proposed town of Leicester is within five miles of the City of Asheville, which has a population of over 50,000, and therefore qualifies for notification of the proposed incorporation pursuant to N.C.G.S. 120-164(c)(3), and qualifies to express its approval of the proposed incorporation pursuant to N.C.G.S. 20-166(b)(3); and

WHEREAS, the Commission has determined that the petition submitted by Leicester satisfies the initial criteria for submission, set out in N.C.G.S. 120-163 and 120-164, and has directed that the petition be evaluated as to additional statutory criteria, and has requested that the City of Asheville, as a qualifying municipality, express its position as to approval of the proposed incorporation;

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

- 1. The City of Asheville approves an incorporation effort by the Township of Leicester, but expresses the following concern:

That the size of the area proposed for incorporation will present practical difficulties in delivering urban services.

The City of Asheville requests continued dialogue with Leicester officials regarding boundaries that are mutually beneficial to both agencies.

- 2. The proposed Town of Leicester will include in its Charter that it will not involuntarily annex any area outside its town boundaries.
- 3. The City Attorney is directed to transmit a certified copy of this resolution to the Commission.

Read, approved and adopted this 8th day of January, 2008.

Keisha Lipe
City Clerk

Jerry Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Keisha Lipe
City Clerk

RESOLUTION NO. 08-07

RESOLUTION APPROVING PROPOSED DELINEATION OF AREAS FOR ANNEXATION AGREEMENT WITH TOWN OF WOODFIN, AND SETTING PUBLIC HEARING

WHEREAS, the City of Asheville and the Town of Woodfin have the authority pursuant to Part 6 of Article 4A of Chapter 160A of the N.C. General Statutes to enter into annexation agreements; and

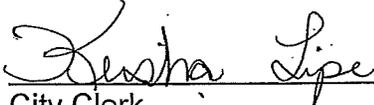
WHEREAS, officials of Asheville and Woodfin have been engaged in discussions regarding such an agreement; and

WHEREAS, the City of Asheville wishes to proceed with meeting the requirements for such an agreement;

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

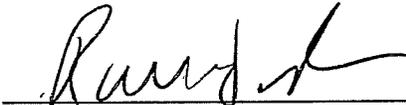
1. The map establishing the future growth areas for the City of Asheville and the Town of Woodfin, attached hereto as Exhibit A, is hereby approved to become part of an annexation agreement proposed with the Town of Woodfin.
2. The public hearing required pursuant to N.C.G.S. 160A-58.24(e) shall be held on January 22, 2008, and the City Clerk is hereby directed to provide for the required notice.

Read, approved and adopted this 8th day of January, 2008.


City Clerk


Mayor

Approved as to form:


City Attorney

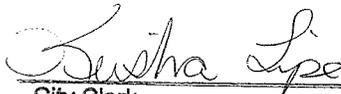

City Clerk

Exhibit A

Scale: 1" = 1 Mile

