

Resolution No. 08-228

RESOLUTION OF APPRECIATION TO HOLLY JONES

WHEREAS, Holly Jones served as a member of the Asheville City Council since December 4, 2001; and

Whereas, Holly served as Vice-Chair from December 6, 2005, to December 11, 2007; and

WHEREAS, Holly untiringly devoted over seven years to the City of Asheville during a period of time that numerous projects were initiated through her leadership which will continue to have a revitalizing and growing impact on the City of Asheville far beyond her term of office, in particular, her commitment to the needs of the elderly, children and the economically disadvantaged; and her commitment for a revised Minimum Housing Code to ensure safe housing for all; and

WHEREAS, Holly was a catalyst for the implementation of the 10-Year Plan to End Homelessness, and also keeping A-HOPE operating on Saturdays; and

WHEREAS, Holly served as a member of the Transportation Advisory Committee; Chair of the Asheville Regional Housing Consortium; Chair of the City Council Housing & Community Development Committee; Pack Place Board of Trustees; City Council 2004 and 2005 Retreat Committees; City Council Subcommittee to establish the City Manager's goals; City Council Personnel Committee; City Council Planning & Economic Development Committee; Chair of the City Council Boards & Commissions Committee; Chair of the Police Officers & Firefighters Disability Review Board; Pack Square Conservancy Inc.; and Buncombe County Tourism Development Authority; and

WHEREAS, she also served as liaison to Greenway Commission; Firemen's Relief Fund; Metropolitan Sewerage District Board of Directors; Public Access Channel Commission; Asheville School Board; Transit Commission; Minority Business Commission; and Flood Reduction Task Force; and

WHEREAS, Holly has been a powerful influence for good in the growth and progress of the community; and

WHEREAS, Holly has demonstrated in many practical ways her deep and genuine love for this city and the surrounding area;

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

That the members of the Asheville City Council hereby express their gratitude to Holly Jones for the service she has rendered to her community and that this resolution be entered into the minutes of the Asheville City Council and that a copy be presented to Holly Jones.

Read, approved and adopted this 25th day of November, 2008.

MAYOR

COUNCIL MEMBER

Magdalena Brulson
City Clerk

RESOLUTION NO. 08- 229RESOLUTION ADOPTING THE 2009 CITY COUNCIL MEETING SCHEDULE

WHEREAS, the Asheville City Council is authorized, pursuant to N. C. Gen. Stat. sec. 160A-71, to fix the time and place for its regular meetings;

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

The following schedule of the meetings of the Asheville City Council for 2009, be, and the same is, hereby established as follows:

City Council Formal Meetings
5:00 p.m.
2nd and 4th Tuesdays of each month
Council Chamber – 2nd Floor
City Hall Building, Asheville, N.C.

City Council Worksessions
3:00 p.m.
3rd Tuesday of each month
Council Chamber – 2nd Floor
City Hall Building, Asheville, N.C.

City Council Community Meetings
7:00 p.m.
5th Tuesday of any month
Meeting places to be announced

BE IT FURTHER RESOLVED THAT:

Due to the holidays, the following meetings are hereby cancelled: Tuesday, December 22, 2009; and Tuesday, December 29, 2009.

This schedule may be amended or modified by resolution.

Read, approved and adopted this 25th day of November, 2008.

Magdalen Boulson
CITY CLERK

Jerry Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Boulson
City Clerk

RESOLUTION NO. 08- 230

RESOLUTION APPOINTING A MEMBER TO THE RIVER DISTRICT DESIGN REVIEW COMMITTEE

WHEREAS, there currently exists two positions for members of the RiverLink Board of Directors on the River District Design Review Committee, one of which is currently filled by Mr. Richard Hall; and

WHEREAS, Mr. Richard Hall no longer serves as a member of the RiverLink Board of Directors, thus creating a vacancy until September 1, 2010;

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

Mr. Rod Baird, 33 Grovewood Road, Asheville, N.C., be and is hereby appointed to the River District Design Review Committee, as one of the two members from the RiverLink Board of Directors, to serve the unexpired term of Mr. Hall, term to expire September 1, 2010, or until he is no longer a member of the RiverLink Board of Directors or until his successor has been appointed, whichever occurs first.

Read, approved and adopted this 25th day of November, 2008.

Magdalen Boulson
CITY CLERK

Jerry Bellamy
MAYOR

Approved as to form:

Russell
CITY ATTORNEY

Magdalen Boulson
City Clerk

RESOLUTION NO. 08- 231RESOLUTION MODIFYING THE 2008 CITY COUNCIL MEETING SCHEDULE

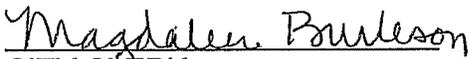
WHEREAS, the Asheville City Council is authorized, pursuant to N. C. Gen. Stat. sec. 160A-71, to fix the time and place for its regular meetings;

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

(1) The City Council will hold a formal meeting on Tuesday, December 2, 2008, beginning at 5:00 p.m. in the Council Chamber, located on the 2nd Floor of the City Hall Building.

(2) The City Council will hold a special meeting on Friday, December 12, 2008, beginning at 5:00 p.m. in the Council Chamber, located on the 2nd Floor of the City Hall Building.

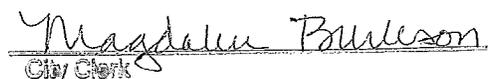
Read, approved and adopted this 25th day of November, 2008.


CITY CLERK


MAYOR

Approved as to form:


CITY ATTORNEY


City Clerk

RESOLUTION NO. 08- 232

RESOLUTION AFFIRMING THE CITY OF ASHEVILLE'S SUPPORT OF AND PARTNERSHIP WITH THE 2010 CENSUS

WHEREAS, the U. S. Census Bureau is required by the Constitution of the United States of America to conduct a count of the population and provides a historic opportunity for the City of Asheville to help shape the foundation of our society and plan an active role in American democracy; and

WHEREAS, the City of Asheville is committed to ensuring every resident is counted; and

WHEREAS, more than \$300 billion per year in federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based on census data, including healthcare, community development, housing, education, transportation, social services, employment, and much more; and

WHEREAS, census data determine how many seats each state will have in the U. S. House of Representatives as well as the redistricting of state legislatures, county and city councils, and voting districts; and

WHEREAS, the 2010 Census creates hundreds of thousands of jobs across the nation; and

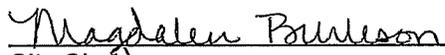
WHEREAS, every Census Bureau worker takes a lifetime oath to protect confidentiality and ensure that data identifying respondents or their household not be released or shared for 72 years; and

WHEREAS, a united voice from businesses, government, community-based and faith-based organizations, educators, media and others will allow the 2010 Census message to reach a broader audience providing trusted advocates who can spark positive conversations about the 2010 Census;

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

1. Supports the goals and ideals for the 2010 Census and will disseminate 2010 Census information to encourage participation.
2. Asks its affiliates and membership to partner together to achieve an accurate and complete count.
3. Encourages people in the City of Asheville to participate in events and initiatives that will raise overall awareness of the 2010 Census and increase participation among all populations.

Read, approved and adopted this 25th day of November, 2008.

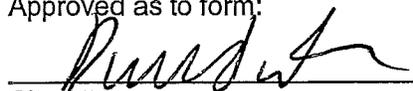


City Clerk



Mayor

Approved as to form:



City Attorney



City Clerk

RESOLUTION NO. 08-233

RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE TWO REPLACEMENT FIRE TRUCKS

WHEREAS, pursuant to N.C.G.S. 143-129(g) when in the best interest of a local municipality, the formal bid process may be waived for the purchase of apparatus, supplies, materials or equipment from a vender after that vender has participated in a formal bid process substantially similar to the need of the municipality with another local government within the last twelve (12) months; and

WHEREAS, the City of Asheville has the need to replace two front line fire trucks; and

WHEREAS, on March 4, 2008, the Town of Kernersville, after completing a formal bidding process, awarded a contract to Triad Fire, Inc., for the purchase of fire vehicles substantially similar to the City's needs; and

WHEREAS, by the vender agreeing to allow the City to use the same terms in the Town of Kernersville's contract, the City of Asheville will save \$95,399.99 in the purchase price of the vehicles; and

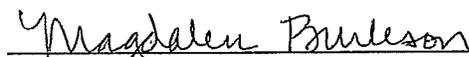
WHEREAS, the total budget for the purchase of the two vehicles is \$1,292,756.00; and

WHEREAS, pursuant to N.C.G.S. 143-129(g), the City Council has determined that it would be in the best interest for the City of Asheville to waive the formal bidding requirements for the purchase of two (2) front line fire trucks using the terms and conditions from the Town of Kernersville's formal bid process for fire vehicles dated March 4, 2008;

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

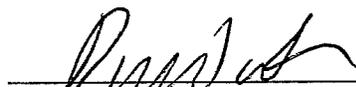
The City Manager is hereby authorized to enter into a contract on behalf of the City of Asheville with Triad Fire, Inc., for the purchase of two front line fire trucks not to exceed the budgeted amount of \$1,292,756.00 and further authorized to execute any change orders to said contract or documents of said purchase up to the budgeted amount.

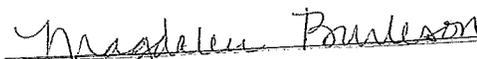
Read, approved and adopted this 25th day of November, 2008.


City Clerk


Mayor

Approved as to form:


City Attorney


City Clerk

RESOLUTION NO. 08- 234

RESOLUTION APPOINTING MEMBERS AND THE CHAIR TO THE ALCOHOLIC BEVERAGE CONTROL BOARD

WHEREAS, the terms of Charles Worley and Tom Bell, as members on the Alcoholic Beverage Control Board, expired on November 13, 2008; and

WHEREAS, Mr. Worley currently serves as the Chair of the Alcoholic Beverage Control Board;

WHEREAS, the Chair shall be appointed by City Council;

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

Mr. Charles R. Worley, 102 Carter Cove Road, 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, 2011, or until his successor has been appointed.

Mr. Charles R. Worley, 102 Carter Cove Road, Asheville, N.C., be and he is hereby appointed as Chairman of the Alcoholic Beverage Control Board until his term expires on November 13, 2011, or until City Council appoints a replacement.

Mr. Jim Ellis, 3 Sunset Lane, Asheville, N.C., be and he is hereby appointed as a member of the Alcoholic Beverage Control Board, to serve a three-year term, term to expire November 13, 2011, or until his successor has been appointed.

Read, approved and adopted this 25th day of November, 2008.

Magdalen Baulson
CITY CLERK

Jeremy Bellamy
MAYOR

Approved as to form:

[Signature]
CITY ATTORNEY

Magdalen Baulson
City Clerk

RESOLUTION NO. 08-235

RESOLUTION APPROVING SUPPORT OF CO-SPONSORED ANCHOR EVENTS FROM JANUARY 1, 2009 – JUNE 30, 2010

WHEREAS, the City has the authority, pursuant to N.C.G.S. 160A-353 to establish and support recreational programs; and

WHEREAS, the Parks, Recreation and Cultural Arts Department presents for consideration \$93,518 of in-kind goods and services for six (6) anchor events (Asheville Drum Circle, Asheville Greek Festival, Asheville Holiday Parade, Downtown After 5, Goombay Festival, and Shindig on the Green) between January 1, 2009, and June 30, 2010, plus waiving permit costs and fees for the remaining 26 events;

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

The six (6) anchor events (Asheville Drum Circle, Asheville Greek Festival, Asheville Holiday Parade, Downtown After 5, Goombay Festival, and Shindig on the Green) receive full co-sponsorship support for events between January 1, 2009, and June 30, 2010, for a total of \$93,518, and waive permit costs and fees for remaining 26 events.

Read, approved and adopted this 25th day of November, 2008.

Magdalen Brouleson
City Clerk

Steve Bellamy
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Brouleson
City Clerk

| Date | Event | Lost Revenue | | | | Permits & Fees | | | | | | |
|------------|---------------------------------------|---------------------------|------------------|-----------------|------------|----------------|------------|-----------------------|----------------------|--|--|--|
| | | Parks & Rec Facility Fees | Parking Services | Building & Fire | Electrical | Fire | Zoning | Traffic & Engineering | Blgd & Fire Tech Fee | | | |
| 3/14/2009 | ACS Shamrock Run | \$0.00 | \$0.00 | \$125.00 | \$125.00 | \$75.00 | \$25.00 | \$25.00 | \$22.00 | | | |
| 6/1/2009 | Advancing the Kingdom | \$225.00 | \$0.00 | \$75.00 | \$0.00 | \$75.00 | \$25.00 | \$0.00 | \$7.00 | | | |
| 9/12/2009 | Asheville Citizen Times Half Marathon | \$0.00 | \$135.00 | \$125.00 | \$0.00 | \$75.00 | \$25.00 | \$25.00 | \$9.00 | | | |
| 7/19/2009 | Asheville Criterium | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$75.00 | \$25.00 | \$100.00 | \$4.00 | | | |
| 4/18/2009 | Asheville Earth Day | \$375.00 | \$0.00 | \$125.00 | \$125.00 | \$75.00 | \$25.00 | \$0.00 | \$22.00 | | | |
| 8/1/2009 | Asheville Grand Prix | \$0.00 | \$0.00 | \$75.00 | \$75.00 | \$75.00 | \$25.00 | \$25.00 | \$34.00 | | | |
| 6/13/2009 | Brothers & Sisters 5K | \$220.00 | \$0.00 | \$75.00 | \$0.00 | \$75.00 | \$25.00 | \$0.00 | \$7.00 | | | |
| 4/26/2009 | Celebration Israel | \$0.00 | \$0.00 | \$125.00 | \$125.00 | \$75.00 | \$25.00 | \$25.00 | \$22.00 | | | |
| 4/26/2009 | Falafel 5K | \$0.00 | \$0.00 | \$125.00 | \$0.00 | \$75.00 | \$25.00 | \$25.00 | \$9.00 | | | |
| 10/24/2009 | Halloween Dog Festival | \$0.00 | \$150.00 | \$75.00 | \$75.00 | \$75.00 | \$25.00 | \$25.00 | \$18.00 | | | |
| 10/18/2009 | Hard Lox Jewish Food Festival | \$0.00 | \$225.00 | \$125.00 | \$125.00 | \$75.00 | \$25.00 | \$25.00 | \$22.00 | | | |
| 1/24/2009 | Hot Chocolate 10K & Kids Hill Climb | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$75.00 | \$25.00 | \$25.00 | \$4.00 | | | |
| 5/3/2009 | Houses of Worship Walkathon | \$0.00 | \$0.00 | \$125.00 | \$125.00 | \$75.00 | \$25.00 | \$0.00 | \$22.00 | | | |
| 1/19/2009 | Martin Luther King Jr. Peace March | \$50.00 | \$0.00 | \$75.00 | \$0.00 | \$75.00 | \$25.00 | \$0.00 | \$7.00 | | | |
| 5/16/2009 | Montford Music & Arts Festival | \$0.00 | \$0.00 | \$125.00 | \$125.00 | \$75.00 | \$25.00 | \$25.00 | \$22.00 | | | |
| 5/30/2009 | Night of the Ninja | \$0.00 | \$0.00 | \$75.00 | \$0.00 | \$75.00 | \$25.00 | \$0.00 | \$7.00 | | | |
| 10/10/2009 | Oktoberfest | \$0.00 | \$120.00 | \$125.00 | \$125.00 | \$75.00 | \$25.00 | \$25.00 | \$22.00 | | | |
| 9/12/2009 | Organicfest | \$0.00 | \$375.00 | \$125.00 | \$125.00 | \$75.00 | \$25.00 | \$25.00 | \$22.00 | | | |
| 8/1/2009 | Rockin RiverFest | \$275.00 | \$0.00 | \$125.00 | \$125.00 | \$75.00 | \$25.00 | \$0.00 | \$22.00 | | | |
| 9/19/2009 | Run for the Horses | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$75.00 | \$25.00 | \$0.00 | \$4.00 | | | |
| 5/1/2009 | Spring Market | \$465.00 | \$0.00 | \$125.00 | \$125.00 | \$75.00 | \$25.00 | \$0.00 | \$22.00 | | | |
| 5/2/2009 | Summer Festivals | \$250.00 | \$0.00 | \$75.00 | \$0.00 | \$75.00 | \$25.00 | \$0.00 | \$7.00 | | | |
| 11/7/2009 | Superhero 5K | \$0.00 | \$0.00 | \$75.00 | \$0.00 | \$75.00 | \$25.00 | \$0.00 | \$7.00 | | | |
| 9/26/2009 | Thomas Wolfe 8K Race | \$0.00 | \$60.00 | \$75.00 | \$0.00 | \$75.00 | \$25.00 | \$25.00 | \$7.00 | | | |
| 6/1/2009 | Urban Trail Block Party | \$0.00 | \$150.00 | \$125.00 | \$125.00 | \$75.00 | \$25.00 | \$25.00 | \$22.00 | | | |
| 9/29/2009 | WNC Run/Walk for Autism | \$290.00 | \$0.00 | \$75.00 | \$0.00 | \$75.00 | \$25.00 | \$0.00 | \$7.00 | | | |
| | Subtotal | \$1,460.00 | \$1,181.500 | \$3,925.00 | \$2,775.00 | \$5,075.00 | \$1,025.00 | \$575.00 | \$692.00 | | | |
| | grand total | \$28,482.00 | | | | | | | | | | |

RESOLUTION NO. 08-236

RESOLUTION STRONGLY OPPOSING THE TRANSFER OF SECONDARY ROAD PROGRAM FUNDING TO THE PRIMARY ROAD PROGRAM OR ANY OTHER PROGRAM THAT WILL REDUCE FUNDING FOR SECONDARY ROAD CONSTRUCTION, IMPROVEMENT, AND MAINTENANCE

WHEREAS, the NC General Assembly passed Senate Bill 1513 during the 2007 session; and

WHEREAS, HB 1513 allows counties to "Voluntarily" participate in the costs of transportation projects; and

WHEREAS, the 21st Century Transportation Committee and the Transportation Oversight Committee are considering recommending the diversion of all Secondary Road Program funding to the Primary Road Program; and

WHEREAS, diverting Secondary Road Program funding will leave no funding to pave and improve secondary roads;

WHEREAS, the City of Asheville has estimated that it will cost an additional \$600,000 per year in local money to maintain these roads;

WHEREAS, City Council wishes to actively educate the North Carolina General Assembly about the long term fiscal implications to cities associated with transitioning the maintenance responsibility of secondary roads to municipalities without appropriate funding;

WHEREAS, City Council wishes to partner with other League of Municipalities to support their opposition to this recommendation;

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

It strongly opposes the transfer of Secondary Road Program funding to the Primary Road Program or any other program that will reduce funding for secondary road construction, improvement, and maintenance.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

- It strongly opposes any efforts by the General Assembly or NCDOT to shift any transportation costs formerly paid by the State to counties.
- It strongly opposes any efforts by the General Assembly to appropriate directly or indirectly local revenues whether property tax, sales tax, or any other local revenue for State transportation programs or any other State Programs.

- It strongly urges all municipalities to be fully aware and concerned that any invitation to participate in discussions of transportation needs may lead to an indirect appropriation of local funds.
- It strongly urges all municipalities to contact the North Carolina League of Municipalities and direct it to oppose any efforts to transfer the funding of any State transportation program to local governments.
- That a copy of this resolution be sent to every municipality in the State.

BE IT FINALLY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE that copies of this resolution are sent to Buncombe County's representatives in the North Carolina General Assembly.

Read, approved and adopted this 25th day of November, 2008

Magdalen Boulson
City Clerk

George Bellamy
Mayor

Approved as to form:

Russ Scott
City Attorney

Magdalen Boulson
City Clerk