

RESOLUTION NO. 11-100

RESOLUTION AUTHORIZING YELLOWOOD DRIVE, RED CEDAR LANE, WHITE ASHE DRIVE AND SHORTIA LANE IN BILTMORE PARK 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, Yellowood Drive, Red Cedar Lane, White Ashe Drive and Shortia Lane are located in the Corporate Limits of the City of Asheville; and

WHEREAS, Yellowood Drive, Red Cedar Lane, White Ashe Drive and Shortia Lane were constructed and inspected in accordance with the City of Asheville Standard Specifications and Details Manual; and

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:

Yellowood Drive, Red Cedar Lane, White Ashe Drive and Shortia Lane as indicated on the attached maps are accepted by the City of Asheville for maintenance.

Read, approved and adopted this 24<sup>TH</sup> day of May 2011.

Magdalen Baulson  
City Clerk

Imogen Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Baulson  
City Clerk

Legend

-  CITY LIMITS
-  STREETS TO BE ACCEPTED

BLUE RIDGE PKWY

RAMBLE WAY

YELLOWWOOD LN  
LENGTH = 0.02 MILES  
AVG. WIDTH = 20 FT.

YELLOWWOOD LN

WHITE ASH DR  
LENGTH = 0.13 MILES  
AVG. WIDTH = 22 FT.

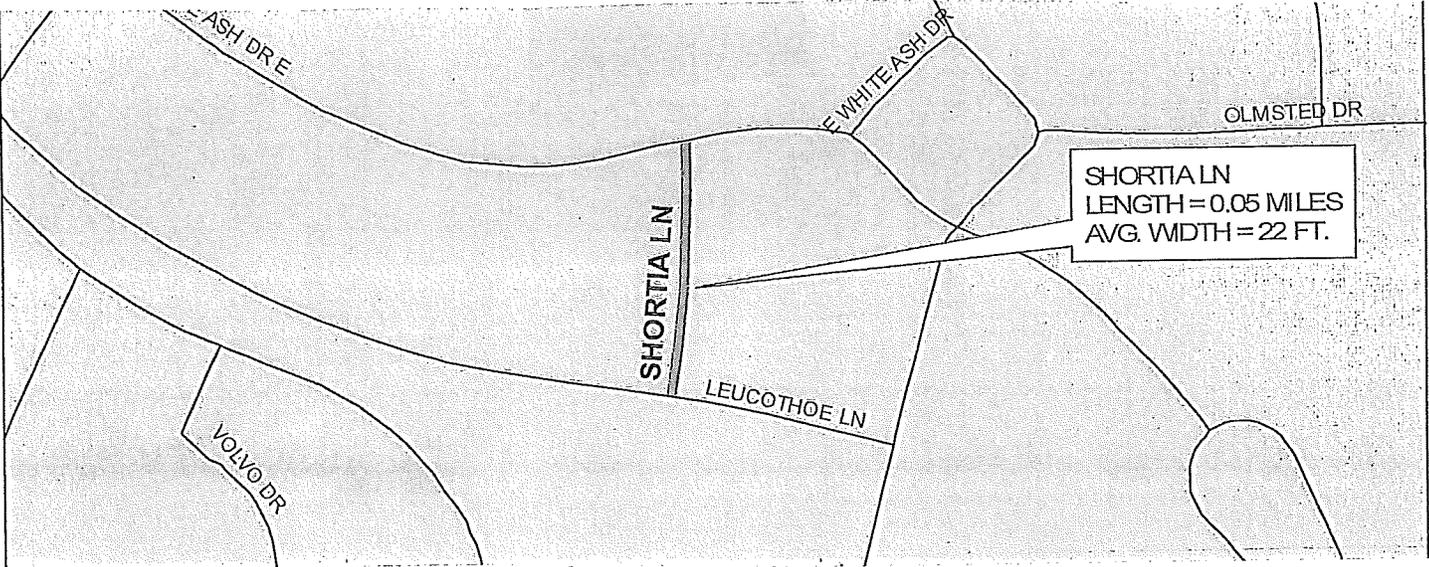
WHITE ASH DR

RED CEDAR LN  
LENGTH = 0.05 MILES  
AVG. WIDTH = 22 FT.

RED CEDAR LN  
RED CEDAR LN

SCHENCK PKWY

WHITE ASH DR



RESOLUTION NO. 11-101

RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE CONVEYANCE OF REAL PROPERTY LOCATED OFF OF ELIZABETH STREET FROM BUNCOMBE COUNTY

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WHEREAS, the City of Asheville is authorized pursuant to G.S. 160A-240.1 to acquire the fee or any lesser interest in real property by gift, grant, bequest or any other lawful method;

WHEREAS, Buncombe County has offered to convey an 0.03 acre parcel of undeveloped land to the City of Asheville at no cost to the City; and

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

The Mayor be and is hereby authorized to execute documents and accept the conveyance from the Buncombe County the real property located off of Elizabeth Street (PIN # 9649-23-8026-00000), upon the approval of the City Attorney.

Read, approved and adopted this 24<sup>th</sup> day of May, 2011.

Magdalena Bullison  
City Clerk

Angus Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalena Bullison  
City Clerk

RESOLUTION NO. 11-102

RESOLUTION AUTHORIZING THE MAYOR TO CONVEY A SANITARY SEWER EASEMENT AT RIVERSIDE CEMETERY, 53 BIRCH STREET, TO JON AND CAITLIN SLOOP

WHEREAS, N. C. Gen. Stat. sec. 160A-273 grants authority to cities to convey easements across city property; and

WHEREAS, the City of Asheville, hereinafter the City, is the owner of property located at 53 Birch Street, known as the Riverside Cemetery, identified as PIN # 963982632500000; and

WHEREAS, Jon and Caitlin Sloop have requested an easement over a portion of said City-owned property on Birch Street for the purpose of installing a sewer line to service a new single family residence on Westover Drive; and

WHEREAS, the portion of land encumbered by the permanent easement comprises approximately 270.1 square feet and the easement has a value of \$1,091 which sum Jon and Caitlin Sloop have agreed to pay for the easement; and

WHEREAS, the easement will not interfere with the City's intended use of the property;

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

The Mayor is hereby authorized to execute any and all documents, approved by the City Attorney, to convey a permanent easement over a portion of property located at 53 Birch Street (PIN # 963982632500000) to Jon and Caitlin Sloop.

Read, approved and adopted this 24th day of May, 2011.

Magdalen Bourleson  
City Clerk

Angela Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Bourleson  
City Clerk

RESOLUTION NO. 11- 103

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH DIXON HUGHES GOODMAN LLP, FOR AUDITING SERVICES FOR FISCAL YEAR 2010-2011

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WHEREAS, the City is required to have its accounts audited at the close of each fiscal year by a certified public accountant or by an accountant certified by the Commission as qualified to audit local government accounts pursuant to N.C.G.S. 159-34; and

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

WHEREAS, Dixon Hughes Goodman LLP has submitted an engagement letter and contract pursuant to *Government Auditing Standards* and the requirements of the Commission to provide audit services to the City Council for fiscal year 2010-2011; and

WHEREAS, the City Council desires that the City's fiscal year 2010-2011 audit service contract be awarded to the firm Dixon Hughes Goodman LLP; and

WHEREAS, funds are included in the Accounting Division of the Finance Department's FY2011-2012 budget; and

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

The Mayor is hereby authorized to execute a contract, the form of which shall be approved by the Local Government Commission, with Dixon Hughes Goodman LLP in the amount of \$109,000 for auditing services for fiscal year 2010-2011.

Read, approved and adopted this the 24<sup>th</sup> day of May, 2011

Magdalen Boulson  
City Clerk

Jim Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulson  
City Clerk

RESOLUTION NO. 11-104

RESOLUTION APPOINTING MEMBERS TO THE ASHEVILLE-BUNCOMBE HISTORIC RESOURCES COMMISSION

WHEREAS, Amanda Warren has resigned as a member of the Asheville-Buncombe Historic Resources Commission, thus leaving an unexpired term until July 1, 2012; and

WHEREAS, the terms of Diane Duermit and Hillary Cole, as members on the Asheville-Buncombe Historic Resources Commission, expire on July 1, 2011;

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

(1) Mr. Brian Cook, 3 Enka Pine Street, Candler, North Carolina, be and he is hereby appointed, as a member of the Asheville-Buncombe Historic Resources Commission, to serve the unexpired term of Ms. Warren, term to expire July 1, 2012, or until his successor has been appointed.

(2) Ms. Hillary Cole, Post Office Box 226, Enka, North Carolina, be and she is hereby reappointed, as a member of the Asheville-Buncombe Historic Resources Commission, to serve an additional three-year term, term to expire July 1, 2014, or until her successor has been appointed.

(2) Ms. Brendan Ross, 193 Stratford Road, Asheville, North Carolina, be and she is hereby appointed, as a member of the Asheville-Buncombe Historic Resources Commission, to serve a three-year term, term to begin on June 30, 2011, and expire on July 1, 2014, or until her successor has been appointed.

Read, approved and adopted this 24<sup>th</sup> day of May, 2011.

Magdalen Paulson  
CITY CLERK

Steve Bellamy  
MAYOR

Approved as to form:

[Signature]  
CITY ATTORNEY

Magdalen Paulson  
City Clerk

RESOLUTION NO. 11- 105

RESOLUTION APPOINTING A MEMBER TO THE METROPOLITAN SEWERAGE DISTRICT BOARD OF DIRECTORS

WHEREAS, the term of W. Louis Bissette, as a member on the Metropolitan Sewerage District Board of Directors, expired on January 19, 2011;

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

Councilwoman Esther Manheimer be and she is hereby appointed to serve the unexpired term of Mr. Bissette, term to expire January 19, 2014, or until her successor has been appointed.

Read, approved and adopted this 24<sup>th</sup> day of May, 2011.

Magdalen Boulson  
CITY CLERK

Jerry Bellamy  
MAYOR

Approved as to form:

[Signature]  
CITY ATTORNEY

Magdalen Boulson  
City Clerk

RESOLUTION NO. 11-106

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT GRANT FUNDS UNDER THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, COPS HIRING PROGRAM TO ASSIST THE ASHEVILLE POLICE DEPARTMENT WITH THE HIRING OF 5 POLICE OFFICERS

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

WHEREAS, the Department of Justice, Office of Community Oriented Policing Services, COPS Hiring Program has invited the City of Asheville to submit a full grant application in the amount of \$645,000 for the hiring of 5 police officers to conduct crime prevention in public housing, suppress group and gang violence in high crime areas and engage at risk youth through a police activities league;

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 U.S. Department of Justice, Office of Community Oriented Policing Services, COPS Hiring Program, for a grant in the amount of \$645,000 to assist the Asheville Police Department with crime prevention, gang suppression and police activities league activities in high crime areas of Asheville.

Read, approved and adopted this 24<sup>th</sup> day of May, 2011.

Magdalen Burlison  
City Clerk

Jim Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Burlison  
City Clerk

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RESOLUTION NO. 11- 107

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE ASHEVILLE GRIZZLIES FOOTBALL GAME EVENT ON THE DATE OF SATURDAY, JUNE 11, 2011 FROM 5:30 PM – 11:00 PM

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WHEREAS, N. C. Gen. Stat. sec. 18B-300(c) authorizes the City by ordinance to regulate or prohibit the consumption and/or possession of open containers of malt beverages and unfortified wine on the public streets and on property owned, occupied or controlled by the City and to regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys or parking lots which are temporarily closed to regular traffic for special events; and

WHEREAS, the City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and

WHEREAS, that ordinance, codified as Section 11-11 in the Code of Ordinances of the City of Asheville, provides that the City Council may adopt a resolution making other provisions for the possession of malt beverages and/or unfortified wine at a special event or community festival; and

WHEREAS, the City Council of the City of Asheville hereby determines to make other provisions for the possession of malt beverages and/or unfortified wine at the Asheville Grizzlies Football Game Event.

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

1. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed within the Asheville Grizzlies Football Game Event area.

The Asheville Grizzlies Football Game Event area is within the boundaries of Memorial Stadium, as shown in Exhibit A, attached.

2. The possession of open containers of malt beverages and/or unfortified wine and the consumption of malt beverages and/or unfortified wine shall be allowed for the Asheville Grizzlies Football Game Event on Saturday, June 11, 2011 from 5:30 p.m. – 11:00 p.m.
3. The possession of and consumption from open containers of malt beverages and/or unfortified wine allowed hereinabove shall be limited to malt beverages and/or unfortified wine contained in either unbreakable plastic cups or aluminum cans. Possession of and/or consumption from glass containers of malt beverages and/or

unfortified wine are not allowed anywhere in the Asheville Grizzlies Football Game Event area. No other possession of open containers of malt beverages and/or unfortified wine or consumption of malt beverages and/or unfortified wine shall be allowed in the Asheville Grizzlies Football Game Event area, or elsewhere in the City of Asheville as prohibited by Section 11 - 11 of the Code of Ordinances of the City of Asheville.

- 4. The location of the Asheville Grizzlies Football Game Event, listed hereinbefore, where possession of open containers of malt beverages and/or unfortified wine and consumption of malt beverages and/or unfortified wine are allowed shall be designated by the posting of signs in the event area.

Read, approved and adopted this 24<sup>th</sup> day of May, 2011.

Magdalen Bureson  
 City Clerk

Imogen Bellamy  
 Mayor

Approved as to form:

[Signature]  
 City Attorney

Magdalen Bureson  
 City Clerk



Memorial Stadium