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RESOLUTION NO. 14-265

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CH SECURITY FOR SECURITY SERVICES IN THE CITY PARKING GARAGES

WHEREAS, the City of Asheville has authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, security services are needed in the City parking garages; and

WHEREAS, the amount of the contract is $405,000 for three years and the monies have been budgeted in the Transportation Department's Operating Budget for FY 2014-15;

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 CH Security, for $405,000.00 over three years not to exceed $135,000.00 per fiscal year for security services in the City parking garages and further authorized to execute any change orders to said contract or documents which might arise during the time period of the contract up to the budgeted amount.

Read, approved and adopted this the 9th day of December 2014.

Magdalen Bullock
City Clerk

Mayor

Approved as to form:

City Attorney

Magdalen Bullock
City Clerk

RESOLUTION NO. 14-266

RESOLUTION ADOPTING THE 2015 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 2014 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 Community Meetings
6:30 p.m.
5th Tuesday of any month
(If a community meeting is cancelled, the next location will be the cancelled meeting location)
March 31, 2015 – Central
June 30, 2015 - North
September 29, 2015 - East
December 29, 2015 - No meeting

BE IT FURTHER RESOLVED THAT:

(1) The following meetings are hereby cancelled: Tuesday, July 14, 2015; Tuesday, December 29, 2015.

(2) City Council will hold their annual retreat on January 30 & 31, 2015, beginning at 8:30 a.m. in the Banquet Hall of the U.S. Cellular Center.

This schedule may be amended or modified by resolution.

Read, approved and adopted this 9th day of December, 2014.

Magdalen Bowlerson
CITY CLERK

MAYOR

Approved as to form:

CITY ATTORNEY

Magdalen Bowlerson
City Clerk

439

RESOLUTION NO. 14-267

RESOLUTION AUTHORIZING A PUBLIC HEARING ON AN ECONOMIC DEVELOPMENT INCENTIVE GRANT FOR EXPANSION OF LINAMAR CORPORATION IN CITY OF ASHEVILLE

WHEREAS, City Council has authority pursuant to N.C.G.S. 158-7.1 to engage in economic development purposes; and,

WHEREAS, Linamar Corporation is proposing to expand its existing manufacturing facility within the City limits adding $190,000,000 in new capital investment in buildings and Machinery and Equipment and the creation of 400 new manufacturing jobs; and,

WHEREAS, the City of Asheville has adopted an economic development incentive policy offering performance-based grants to qualifying businesses locating and expanding within the corporate limits; and

WHEREAS, North Carolina state law requires a Public Hearing be held before an incentive grant can be officially awarded;

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

City Council authorizes the City Clerk to advertise for a Public Hearing to be held on January 13, 2015 to consider an Economic Development Incentive Grant for up to $3,500,000 for Linamar Corporation subject to terms of the performance contract.

Read and approved and adopted this 9th day of December, 2014.

Magdalen Burleson
CITY CLERK

MAYOR

Approved as to form:

CITY ATTORNEY

Magdalen Burleson
City Clerk

RESOLUTION NO. 14-268

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSTRUCTION AGREEMENT WITH MOORE & SON, INC., FOR THE BEAUCATCHER TANK WATERLINE IMPROVEMENT AREA PROJECT

WHEREAS, the City of Asheville has authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, pursuant to N.C.G.S. § 143-129, bids were solicited for the project known as the Beaucatcher Tank Waterline Improvement Area Project; and

WHEREAS, Moore & Son, Inc., of Mills River, NC was the lowest responsible, responsive bidder for the Project, in the amount of $432,480, with the bid tabulation attached hereto as Exhibit "A"; and

WHEREAS, the project involves the construction and installation of: approximately 1,450 Linear Feet of 10-inch and 24-inch Ductile Iron Pipe with all materials, labor, incidentals, and equipment required to complete the project; and

WHEREAS, the bids have been reviewed by the Water Resources Department and the City's Office of Economic Development (Minority Business Plan Compliance) with all officers recommending approval of the bid.

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

1. The Bid Tabulation attached hereto as Exhibit "A" be recorded in the minutes of the City Council as required by N.C. Gen. Stat. § 143-129.

2. City Council hereby authorizes a budget amendment to transfer funds from the Walnut Cove Pump Replacement and Riddle Road Waterline Replacement Projects to fund part of the construction contract.

3. The City Manager is hereby authorized to execute the contract with Moore & Son, Inc., for the bid amount of $432,480. City Council also grants approval of a contingency amount of $65,470 for a total project budget in the amount of $497,950 for the Beaucatcher Tank Waterline Improvement Area Project. The City Manager is further authorized to execute any change orders to said contract or documents which may arise during construction of said project up to the budgeted amount.

Read, approved and adopted this the 9th day of December, 2014.

Magdalen Bowlson
City Clerk

Mayor

Approved as to form:

City Attorney

Magdalen Bowlson
City Clerk

EXHIBIT A

Bid Tabulation for: Beaucatcher Tank Waterline Improvement Area				Moore & Son, Inc. 103 McDowell Rd Mills River, NC 28759		Patton Construction Group PO Box 15054 Asheville, NC 28813		Huntley Construction, Inc. 121 Charlotte Hwy, Asheville, NC 28803		Dillard Excavating, Inc 9411 Augusta Rd Pelzer, SC 29669	
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	24-inch Restrained Joint Class 200 DIP	350	LF	$ 215.00	$ 75,250.00	$ 275.00	$ 96,250.00	$ 387.55	$ 135,642.50	$ 330.00	$ 115,500.00
2	10-inch DIP Restrainted Joint DIP	1100	LF	$ 81.00	$ 89,100.00	$ 101.00	$ 111,100.00	$ 98.75	$ 108,625.00	$ 184.00	$ 202,400.00
3	Fire Hydrant Installation (Complete including Tee, valve, & Hydrant)	1	EA	$ 5,425.00	$ 5,425.00	$ 4,325.00	$ 4,325.00	$ 4,886.90	$ 4,886.90	$ 3,500.00	$ 3,500.00
4	Misc. Ductile Iron Fittings (including Thrust Restraint).	2500	POUND	$ 11.00	$ 27,500.00	$ 5.65	$ 14,125.00	$ 8.00	$ 20,000.00	$ 3.00	$ 7,500.00
5	24-inch x 24-inch Cross Conn. Sta 13+23 Beaucatcher Rd	1	EA	$ 29,050.00	$ 29,050.00	$ 22,860.00	$ 22,860.00	$ 41,245.00	$ 41,245.00	$ 27,000.00	$ 27,000.00
6	10-inch x 10-inch Connection Sta. 10+00 College Street	1	LS	$ 3,268.00	$ 3,268.00	$ 6,035.00	$ 6,035.00	$ 11,789.80	$ 11,789.80	$ 7,000.00	$ 7,000.00
7	10-inch x 8-inch Cross Connect Sta. 20+51 College Street	1	LS	$ 7,035.00	$ 7,035.00	$ 7,016.00	$ 7,016.00	$ 12,472.90	$ 12,472.90	$ 9,000.00	$ 9,000.00
8	4-inch Master Meter Vault @ Beaucatcher Rd & Windswept	1	LS	$ 34,715.00	$ 34,715.00	$ 24,604.00	$ 24,604.00	$ 24,994.10	$ 24,994.10	$ 25,000.00	$ 25,000.00
9	24-inch x 16-inch Cross Connect Sta. 13+45 College Street	1	LS	$ 33,010.00	$ 33,010.00	$ 20,310.00	$ 20,310.00	$ 25,646.25	$ 25,646.25	$ 30,000.00	$ 30,000.00
10	24-inch x 10-inch Cross Connect Sta. 18+60 College Street	1	LS	$ 15,155.00	$ 15,155.00	$ 12,603.00	$ 12,603.00	$ 22,705.00	$ 22,705.00	$ 13,000.00	$ 13,000.00
11	24-inch x Twin 16-inch Cross Connection @ Sta. 10+00 Beaucatcher Road	1	LS	$ 26,647.00	$ 26,647.00	$ 24,413.00	$ 24,413.00	$ 29,303.30	$ 29,303.30	$ 25,000.00	$ 25,000.00
12	Rock Excavation	150	CY	$ 250.00	$ 37,500.00	$ 235.00	$ 35,250.00	$ 150.00	$ 22,500.00	$ 150.00	$ 22,500.00
13	Select Backfill	200	CY	$ 30.00	$ 6,000.00	$ 39.00	$ 7,800.00	$ 25.00	$ 5,000.00	$ 20.00	$ 4,000.00
14	Aggregate Base Course CABC Road and Driveway Restoration	100	TON	$ 40.00	$ 4,000.00	$ 43.00	$ 4,300.00	$ 44.40	$ 4,440.00	$ 20.00	$ 2,000.00
15	Aggregate Base Course CABC 8-inch Depth for Asphalt Road Trench Repair	250	LF	$ 10.50	$ 2,625.00	$ 9.00	$ 2,250.00	$ 18.00	$ 4,500.00	$ 30.00	$ 7,500.00
16	Bituminous Concrete Base Course 5-inch Depth for Asphalt Road Trench Repair	250	LF	$ 40.00	$ 10,000.00	$ 62.00	$ 15,500.00	$ 32.60	$ 8,150.00	$ 50.00	$ 12,500.00
17	Bituminous Concrete Surface Course, Overlay 2-inch Depth	500	SY	$ 15.00	$ 7,500.00	$ 18.00	$ 9,000.00	$ 17.25	$ 8,625.00	$ 15.00	$ 7,500.00
18	Erosion Control	1	LS	$ 4,000.00	$ 4,000.00	$ 8,836.00	$ 8,836.00	$ 4,000.00	$ 4,000.00	$ 2,500.00	$ 2,500.00
19	Restoration	1	LS	$ 2,200.00	$ 2,200.00	$ 7,453.00	$ 7,453.00	$ 5,600.00	$ 5,600.00	$ 2,500.00	$ 2,500.00
20	Traffic Control	1	LS	$ 2,500.00	$ 2,500.00	$ 15,620.00	$ 15,620.00	$ 6,500.00	$ 6,500.00	$ 5,000.00	$ 5,000.00
21	Mobilization	1	LS	$ 10,000.00	$ 10,000.00	$ 23,650.00	$ 23,650.00	$ 4,500.00	$ 23,650.00	$ 13,215.00	$ 13,215.00
TOTAL BID CONSRUCTION COST					$ 432,480.00		$ 473,300.00		$ 511,125.75		$ 544,115.00

Certified By NC Professional Engineer: 11/20/14

NORTH CAROLINA PROFESSIONAL SEAL 030958 ENGINEER

RESOLUTION NO. 14- 269

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN CONTRACT WITH CAROLINA CORNERSTONE CONSTRUCTION FOR THE RENOVATION OF THE STEPHENS-LEE RECREATION CENTER

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

WHEREAS, The City has determined the existing floor, ceiling, paint, and sports equipment at the Stephens-Lee Recreation Center has exceeded its life expectancy, is in poor condition, and poses safety hazard for users; and

WHEREAS, the City has identified the need for a floor, ceiling, and sports equipment renovation and has planned to complete the project in FY 2014-2015 under the deferred maintenance program; and

WHEREAS, the Stephens-Lee Recreation Center renovations will provide improved performance through ongoing care and maintenance of facilities as identified in the Parks, Recreation Cultural Arts, and Greenway Master Plan; and

WHEREAS, Carolina Cornerstone Construction was selected as the lowest, responsible bidder as part of an Advertisement for Bids process;

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 Carolina Cornerstone Construction for a contract not to exceed $340,000 for the construction of the Stephens-Lee Recreation Center renovations and further authorized to execute any change orders to said contract or documents which may arise during construction of said project within the approved budget.

Read, approved and adopted this the 9TH day of December, 2014.

Magdalen Burleson
City Clerk

Esther E. Manheimer
Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

RESOLUTION NO. 14-270

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AMERICAN SEATING COMPANY FOR THE REPLACEMENT OF SEATING AT MCCORMICK FIELD

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

WHEREAS, the City issued an Advertisement for Bids for the replacement of seating at McCormick Field; and

WHEREAS, American Seating Company was the lowest, responsible bidder for the project in the amount not to exceed $259,453, and is budgeted in the FY 2014-2015 capital improvement budget.

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 American Seating Company not to exceed $259,453 for the replacement of seating at McCormick Field, and further authorized to execute any change orders to said contract or documents which may arise during construction of said project up to the budgeted amount.

Read, approved and adopted this 9th day of December, 2014.

Magdalen Burleson
City Clerk

Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

RESOLUTION NO. 14-271

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH WASTE PRO OF NORTH CAROLINA INC. FOR BULK CONTAINER REFUSE/RECYCLING COLLECTION

WHEREAS, the City of Asheville has the authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with private entities; and

WHEREAS, the City is contracting for waste collection and disposal services to support City facilities; and

WHEREAS, the City solicited competitive bids for the waste collection and disposal services and Waste Pro of North Carolina Inc., was the lowest responsive and responsible bidder in the amount of $127,078.00; and

WHEREAS, the bids have been reviewed by the Public Works Department and the City's MB plan representative with all officers recommending approval of the bid;

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 three (3) year contract with Waste Pro of North Carolina Inc., in the amount of $127,078.00 with the option to renew for two additional periods of one year and to approve change orders up to the budgeted amount.

Read, approved and adopted this 9th day of December, 2014.

Magdalen Bullerson
City Clerk

Mayor

Approved as to form:

City Attorney

Magdalen Bullerson
City Clerk

RESOLUTION NO. 14-272

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FIELD CONSTRUCTION SERVICES, INC. FOR INSTALLATION OF AN IRRIGATION SYSTEM ON THE BACK NINE HOLES AT THE ASHEVILLE MUNICIPAL GOLF COURSE

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

WHEREAS, the City issued an Advertisement for Bids for the irrigation system and installation for the back nine holes at the Asheville Municipal Golf Course; and

WHEREAS, Field Construction Services, Inc. was the lowest, responsible bidder for the project in the amount not to exceed $365,000, and is budgeted in the FY 2014-2015 capital improvement budget.

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 Field Construction Services, Inc. not to exceed $365,000 for the irrigation system and installation of on the back nine holes at the Asheville Municipal Golf Course, and further authorized to execute any change orders to said contract or documents which may arise during construction of said project up to the budgeted amount.

Read, approved and adopted this 9th day of December, 2014.

Magdalen Bowlesson
City Clerk

Esther G. Manheimer
Mayor

Approved as to form:

City Attorney

Magdalen Bowlesson
City Clerk

RESOLUTION NO. 14-273

RESOLUTION TO ACCEPT A DONATION FROM THE ASHEVILLE DOWNTOWN ASSOCIATION OF A CANOPY ON THE STAGE AT PACK SQUARE PARK

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, and is authorized pursuant to G.S. 160A-353 to accept any gift, grant or bequest of real property for parks and recreation programs, and to hold such property subject to such terms and conditions as may be imposed by the grantor; and

WHEREAS, the City of Asheville is interested in enhancing its parks and recreation system throughout the corporate limits of the City of Asheville; and

WHEREAS, the Asheville Downtown Association has successfully met all the requirements of canopy installation; and

WHEREAS, the Asheville Downtown Association is donating the canopy to the City of Asheville valued at $125,000; and

WHEREAS, the City of Asheville will be responsible for all future maintenance, repair and replacement of the canopy at an estimated cost of $155,000 for each 10-year period.

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

The City Manager is hereby authorized to accept on behalf of the City of Asheville the donation of the canopy on the stage at Pack Square Park offered by the Asheville Downtown Association.

Read, approved and adopted this 9th day of December, 2014.

Magdalen Burleson
City Clerk

Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

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RESOLUTION NO. 14-274

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SECOND SUPPLEMENTAL UTILITY AGREEMENT WITH NCDOT FOR THE RELOCATION AND ADJUSTMENT OF MUNICIPALLY OWNED WATERLINES WITHIN THE I-26 / NC 280 (AIRPORT ROAD) INTERCHANGE PROJECT AREA

WHEREAS, pursuant to N.C.G.S. § 160A-312, the City of Asheville has authority to operate a public enterprise; and

WHEREAS, pursuant to N.C.G.S. § 160A-20.1, the City of Asheville may enter into contracts with private entities to carry out any public purpose the City is authorized to engage in; and

WHEREAS, the NCDOT is constructing highway improvements at the I-26 / NC 280 (Airport Road) interchange as part of NCDOT Project No. I-5501, which constitutes the need for adjustment or relocation of City of Asheville municipal waterlines within the NCDOT right-of-way; and

WHEREAS, the NCDOT current estimate of the project cost is $196,900.00 and has now increased that to $303,680; and

WHEREAS, by execution of the Supplemental Utility Agreement with NCDOT to include the adjustment or relocation of City of Asheville municipal waterlines in NCDOT's construction contract, it provides the best possible means to cause the required adjustment or relocation of said waterlines.

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

- The City Manager, on behalf of the City of Asheville, is hereby authorized to execute a Second Supplemental Utility Agreement with NCDOT for the relocation and adjustment of municipally owned waterlines within the I-26 / NC 280 (Airport Road) interchange project area.
- The adjusted estimate for the relocation and adjustment of the waterlines is $303,680.00. City Council also grants approval of a contingency amount of $45,552.00 for a total project estimated budget in the amount of $349,232.00.
- The City Manager is further authorized to execute any change orders to said contract or documents which may arise during construction of said project up to the estimated budgeted amount.

Read, approved and adopted this 9th day of December, 2014.

Magdalen Bullock
City Clerk

Esther E. Manheimer
Mayor

Approved as to form:

City Attorney

Magdalen Bullock
City Clerk

RESOLUTION NO. 14-275

RESOLUTION TO PERMANENTLY CLOSE A PORTION OF WESTOVER ALLEY

WHEREAS, the City of Asheville has the authority pursuant to G.S. 160A-299 to permanently close streets and alleys within its jurisdiction upon compliance with applicable laws; and

WHEREAS, a petition has been filed by adjoining property owners to permanently close a portion of Westover Alley; and

WHEREAS, City Council on October 28th, 2014 adopted a resolution of intent to permanently close a portion of Westover Alley, and ordered a public hearing on the question of the closing for the 9th day of December, 2014, at its regular meeting on the 2nd floor of the City Hall building, Asheville, North Carolina.

WHEREAS, aforesaid resolution of intent to close and order for the public hearing was published in the Asheville Citizen Times, newspaper of general circulation in Buncombe County, North Carolina, once a week for four consecutive weeks prior to said public hearing. As evidenced by the publisher's affidavit present to Council at said public hearing; and

WHEREAS, a copy of said resolution of intent to close and order for public hearing was placed at two locations along the portion of Westover Alley; and

WHEREAS, at said public hearing no objections were made that the proposed closing of a portion of Westover Alley would deprive any individual owning property in the vicinity in which said closure is located of reasonable means of ingress and regress to their properties.

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

Pursuant to the North Carolina General Statutes Section 160A-299, a portion of Westover Alley is permanently closed to the public.

Beginning at a #4 rebar with "McAbee" cap, lying at the intersection of the southern line of Lot 2 of Plat Book 138 Page 169 and the western Right of Way of Westover Alley as shown on Plat Book 12 Page 11 as recorded in the Buncombe County Registry, and proceeding thence with the eastern line of the aforementioned Lot 2 and the western Right of Way of Westover Alley along a curve to the right having a radius of 25.00 feet, an arc length of 64.46 feet, a chord bearing of N 45°08'26" E, and a chord length of 48.03 feet to a #4 rebar with "McAbee" cap, thence along a new line S 45°08'26" W 48.03 feet to the point and Place of Beginning, containing 638.9 Square Feet and being a western portion of the Right of Way of Westover Alley, as more particularly shown on a survey prepared by McAbee and Associates, P.A., dated April 16, 2014., attached hereto as Exhibit A.

Read, approved and adopted this 9th day of December, 2014.

Magdalen Burleson
City Clerk

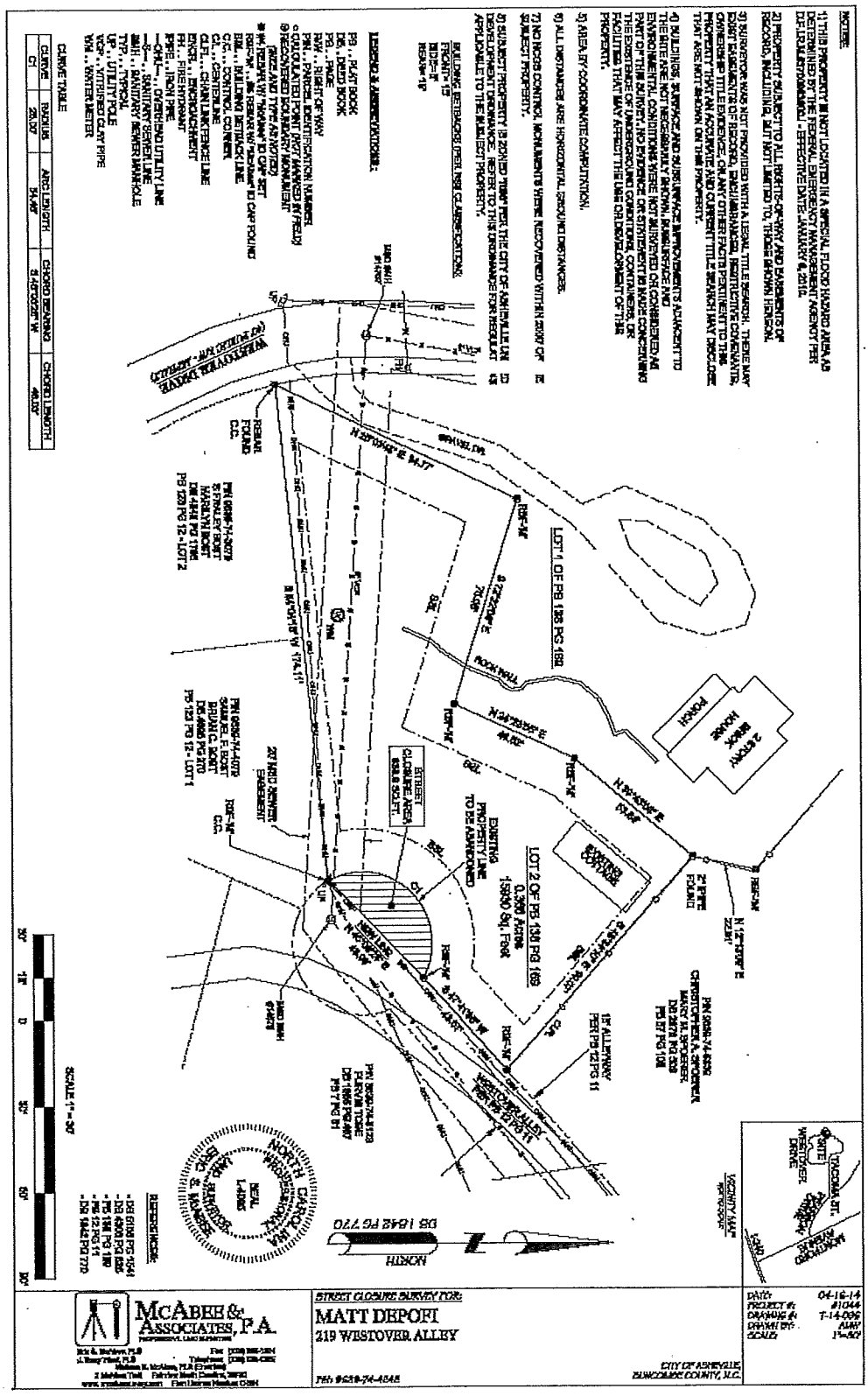
Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

Exhibit A


NOTES:
1) THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY PER FIRM MAP #3700680600J, EFFECTIVE DATE JANUARY 6, 2010.
2) PROPERTY SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD, INCLUDING, BUT NOT LIMITED TO, THOSE SHOWN HEREON.
3) SURVEYOR WAS NOT PROVIDED WITH A LEGAL TITLE RESEARCH. THERE MAY EXIST EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS PERTINENT TO THIS PROPERTY THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE THAT ARE NOT SHOWN ON THIS PROPERTY.
4) BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ADJACENT TO THE SITE ARE NOT DESCRIBED FULLY SHOWN. PARKING SPACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND CONTAINERS, OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
5) AREA BY COORDINATE COMPUTATION.
6) ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
7) NO INDEX CONTOUR MONUMENTS WERE RECOVERED WITHIN 200' OF SUBJECT PROPERTY.
8) SUBJECT PROPERTY IS ZONED "TOURIST" BY THE CITY OF ASHEVILLE ON OFFICIAL ZONING MAPS. REFER TO THE ORDINANCE FOR REGULATIONS APPLICABLE TO THE SUBJECT PROPERTY.
BUILDING SETBACKS (PER ZONING CLASSIFICATION):
FRONT= 15'
SIDE= 8'
REAR= 10'
LEGEND & ABBREVIATIONS:
PB.. PLAT BOOK
DB.. DEED BOOK
PG.. PAGE
ROW.. RIGHT OF WAY
PIN.. PARCEL IDENTIFICATION NUMBER
○ CALCULATED POINT (NOT MARKED BY FIELD)
● RECOVERED BOUNDARY MONUMENT
(SIZE AND TYPE AS NOTED)
REBAR W/ "RAMEY" ID CAP SET
REBAR W/ "RAMEY" ID CAP FOUND
BM.. BUILDING SETBACK LINE
C/C.. CONTROL CORNER
CL.. CENTERLINE
ENCRL.. ENCROACHMENT
FH.. FIRE HYDRANT
IPIPE.. IRON PIPE
OHU.. OVERHEAD UTILITY LINE
SMH.. SANITARY SEWER MANHOLE
TYP.. TYPICAL
UP.. UTILITY POLE
VCP.. VITRIFIED CLAY PIPE
WM.. WATER METER
CURVE TABLE
CURVE | RADIUS | ARC LENGTH | CHORD BEARING | CHORD LENGTH
C1 | 25.00' | 54.49' | S 45°02'28" W | 46.03'
LOT 1 OF PB 139 PG 169
LOT 2 OF PB 139 PG 169
0.366 Acres
15930 Sq. Feet
EXISTING PROPERTY LINE TO BE ABANDONED
STREET CLOSURE AREA 6918 SQ.FT.±
20' MSD SEWER EASEMENT
21' ALLEYWAY PER PB 12 PG 11
WESTOVER DRIVE
WESTOVER ALLEY
TACOMA ST.
VICINITY MAP
NOT TO SCALE
SCALE 1" = 30'
NORTH
DB 1642 PG 770
REFERENCE NOTES:
- DB 01701 PG 1541
- DB 4808 PG 1585
- PB 139 PG 169
- PB 12 PG 11
- DB 1642 PG 770
McABEE & ASSOCIATES, P.A.
STREET CLOSURE SURVEY FOR:
MATT DEPORT
219 WESTOVER ALLEY
PIN: 9638-74-4848
CITY OF ASHEVILLE
BUNCOMBE COUNTY, N.C.
DATE: 04-16-14
PROJECT #: 11044
DRAWING #: T-14-036
DRAWN BY: AMY
SCALE: 1"=30'

RESOLUTION NO. 14-276

RESOLUTION ADOPTING THE 2015 LEGISLATIVE AGENDA FOR THE CITY OF ASHEVILLE

WHEREAS, the 2015 North Carolina general Assembly "long session" will convene on January 14, 2015; and

WHEREAS, the City Council of the City of Asheville has identified certain matters of local and State-wide interest where legislative action is needed or desired;

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

The "City of Asheville Legislative Agenda for the 2015 Session of the North Carolina General Assembly," attached hereto as Exhibit A, is hereby adopted.

The City Manager is hereby directed to transmit a certified copy of this Resolution to the members of the General Assembly whose districts include the City of Asheville.

The City Council offers the City's assistance to members of the General Assembly and the legislative staff with respect to any items listed on Exhibit A, including the provision of additional information, and further resolutions in support of specific bills.

BE IT FUTHER RESOLVED that the Asheville City Council expresses its thanks and appreciation to the members of the local delegation for their service on behalf of the City of Asheville.

Read, approved and adopted this 9th day of December, 2014.

Magdalen Bullison
City Clerk

Mayor

Approved as to form:

City Attorney

Magdalen Bullison
City Clerk

CITY OF ASHEVILLE 2015 LEGISLATIVE AGENDA

Municipal Authority
Like all municipalities in North Carolina, Asheville has unique economic, environmental, and cultural interests. Maintaining municipal authority to promote, regulate, and celebrate these interests is essential to enable local officials to best address local needs.

- Support legislation which enables municipalities' authority to opt in to regulating digital dispatching ("car sharing") services.

Municipal Revenue
The fiscal health and responsibility of municipalities require stable revenue sources that are proportionate to the need for local services. Responsible fiscal management requires the protection of revenue sources both under, and outside of, municipal control.

- Support legislation which restores lost revenue due to the repeal of Privilege License Tax authority.
- Seek legislation to give municipalities the option to use electronic legal public notices in lieu of newspaper publication.
- Oppose sales tax distribution reform that would decrease sales tax revenue to Asheville.
- Transportation funding reform should not impact local government revenue.

Mandates
Unfunded and burdensome legislative and regulatory mandates undermine the efficiency, effectiveness and success of municipal programs and services.

- Support legislation which enhances revenue for public education and transportation infrastructure without negatively impacting existing municipal revenues.

City Services
The City of Asheville, which provides high quality services to meet the dynamic needs of its residents, requires adequate authority and flexibility to finance, operate, and manage these services.

- Oppose legislation that limits or removes local control over public utility systems.
- Oppose legislation that limits municipal control of enterprise funds.
- Support legislation that enables the collection of on street parking fees by various means, including coins, currency, tokens, credit cards, or electronic means.
- Oppose legislation that removes or limits the authority of municipal building code enforcement officers. Proposals to remove building code enforcement officers' authority to order corrections during construction compromises public safety by limiting when corrections may occur solely to the design and review phase.

Economic Vitality
An economically vital community enables Asheville to provide for opportunity, mobility, and a high quality of life for its residents.

- Support restoration of economic development incentives which maximize Asheville's economic vitality, such as film and historic building tax credits.
- Restore full funding to the Job Development Investment Grant program.
- Restore funding of the state's Housing Trust Fund.
- Increase funding of the Workforce Housing Loan Program.
- Restore the State Affordable Housing Tax Credit.

Community Standards
Asheville, the largest city in Western North Carolina, is nationally known for its natural beauty, rich architectural legacy, and entrepreneurial energy. In order to promote economic vitality in a manner that maintains the unique features that make our community a desirable place to live, work, and play, municipalities and local officials need to be enabled with the tools and authority to make local decisions.

- Oppose legislation that removes or limits local control of the regulation of trees.
- Oppose legislation that preempts municipal authority to regulate design and aesthetic controls in historic districts.
- Support legislation that strengthens and/or clarifies current state law to more effectively deter and punish perpetrators who damage property, such as by committing vandalism with graffiti, with punishment not to exceed misdemeanor.

Environmental Stewardship
As a community committed to sustainability and environmental stewardship, Asheville needs adequate regulatory authority in order to maximize its partnership in environmental protection with state and federal agencies. As a city with a proud mountain heritage and identified as a destination for ecotourism and "green" industry, the Blue Ridge mountain region's natural beauty is recognized as a great benefit to the community. Environmental protection is essential to a high quality of life, cultural heritage, and economic development.

- Oppose legislation that would limit municipal authority to regulate environmental standards such as erosion control or stormwater quality.
- Support legislation that strengthens the requirements for the clean up and disposal of coal ash in coal ash ponds along the French Broad River in a manner that is equitable to rate payers.