

RESOLUTION NO. 14-43

RESOLUTION OF INTENT TO PERMANENTLY CLOSE A PORTION OF ASHELAND AVENUE

WHEREAS, the City of Asheville is hereby declaring its intent to permanently close a portion of Asheland Avenue; and

WHEREAS, said rights-of-way are not under the control of the North Carolina Department of Transportation;

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

1. The City Council hereby declares its intent to permanently close a portion of Asheland Avenue as follows:

Beginning at a #5 Rebar with McAbee Identification Cap (being 0.3' below the adjacent grade) located in the southern margin of the lands running along the southern extents of Hilliard Avenue and held by the City of Asheville (shown as Parcel "A" in Plat Book 45 Page 35); said Rebar being located South 75°04'16" West 23.53' and North 81°21'18" West 115.93' from another #5 Rebar with McAbee Identification Cap (being 0.5' below the adjacent grade) which bears NC Grid Coordinates (NAD83-2011) of: Northing= 688,963.91' and Easting= 943,120.10'; thence from the point of beginning and running with the eastern margin of the existing 100' City of Asheville public right of way over Asheland Avenue on a curve turning to the left with an arc length of 51.23', with a radius of 30.03', with a chord bearing of South 49°46'16" West and a chord length of 45.24' to a #5 Rebar with McAbee Identification Cap (being flush with the adjacent grade); thence continuing with the said eastern margin of Asheland Avenue South 00°53'51" West passing a #5 Rebar with McAbee Identification Cap (being 0.8' below the adjacent grade) at a distance of 76.95' and further passing another #5 Rebar with McAbee Identification Cap (being 0.2' below the adjacent grade) at a distance of 344.65' for a total distance of 464.62' to a survey marker nail found; thence leaving the eastern margin of the said existing right of way over Asheland Avenue North 89°12'48" West a distance of 23.66' to a #4 Rebar with McAbee Identification Cap Set (flush with the adjacent grade) located on the eastern margin of the new City of Asheville public right of way over Asheland Avenue; the eastern margin of the said new right of way running at all points 71.5' from the face of the curbing located along the western edge of Asheland Avenue; thence with this new right of way line the following six courses and distances: North 00°47'12" East a distance of 41.84' to a calculated point, North 00°55'59" East a distance of 125.86' to a calculated point, North 01°54'20" East a distance of 57.69' to a calculated point, North 03°48'53" East a distance of 114.72' to a calculated point, North 05°04'03" East a distance of 62.42' to a calculated point and finally North 05°13'17" East a distance of 65.94' to a #4 Rebar with McAbee Identification Cap Set (flush with the adjacent grade); thence following a curve turning to the right and towards the southern margin of the said lands running along the southern extents of Hilliard Avenue, and held by the City of Asheville, having an arc length of 48.92', with a radius of 30.00', with a chord bearing of North 51°55'59" East and a chord length of 43.67' to another #4 Rebar with McAbee Identification Cap Set (flush with the adjacent grade); thence continuing with the southern margin of the City of Asheville property South 81°21'18" East a distance of 7.49' to the point and place of beginning. Containing 0.215 acres / 9,355

square feet, as more particularly shown on a survey prepared by McAbee and Associates, P.A., dated December 19, 2013, attached hereto as Exhibit A.

2. A public hearing on the question of permanently closing a portion of Asheland Avenue is hereby called for on April 22, 2014, at the regular meeting of the City Council beginning at 5:00 pm., in the City Council Chambers, 2nd floor of the City Hall Building, Asheville, North Carolina.
3. This resolution shall be published in a newspaper of general circulation in Buncombe County, North Carolina, once per week for four successive weeks prior to the aforesaid public hearing on April 22, 2014.
4. The notice of closing and the public hearing herein ordered (copy of this resolution being sufficient for the purpose of said notice), shall be prominently posted in at least two places along the aforementioned portion of Asheland Avenue. Additionally, a copy of this resolution of intent shall be sent by registered or certified mail to all owners of property abutting this alley, not joining in the petition to close, as shown on the Buncombe County tax maps. The persons effecting the said posting and mailing shall file an affidavit thereof with the City Clerk prior to the public hearing scheduled herein.

Read, approved and adopted this 25th day of March, 2014.

Magdalen Boulleson
City Clerk

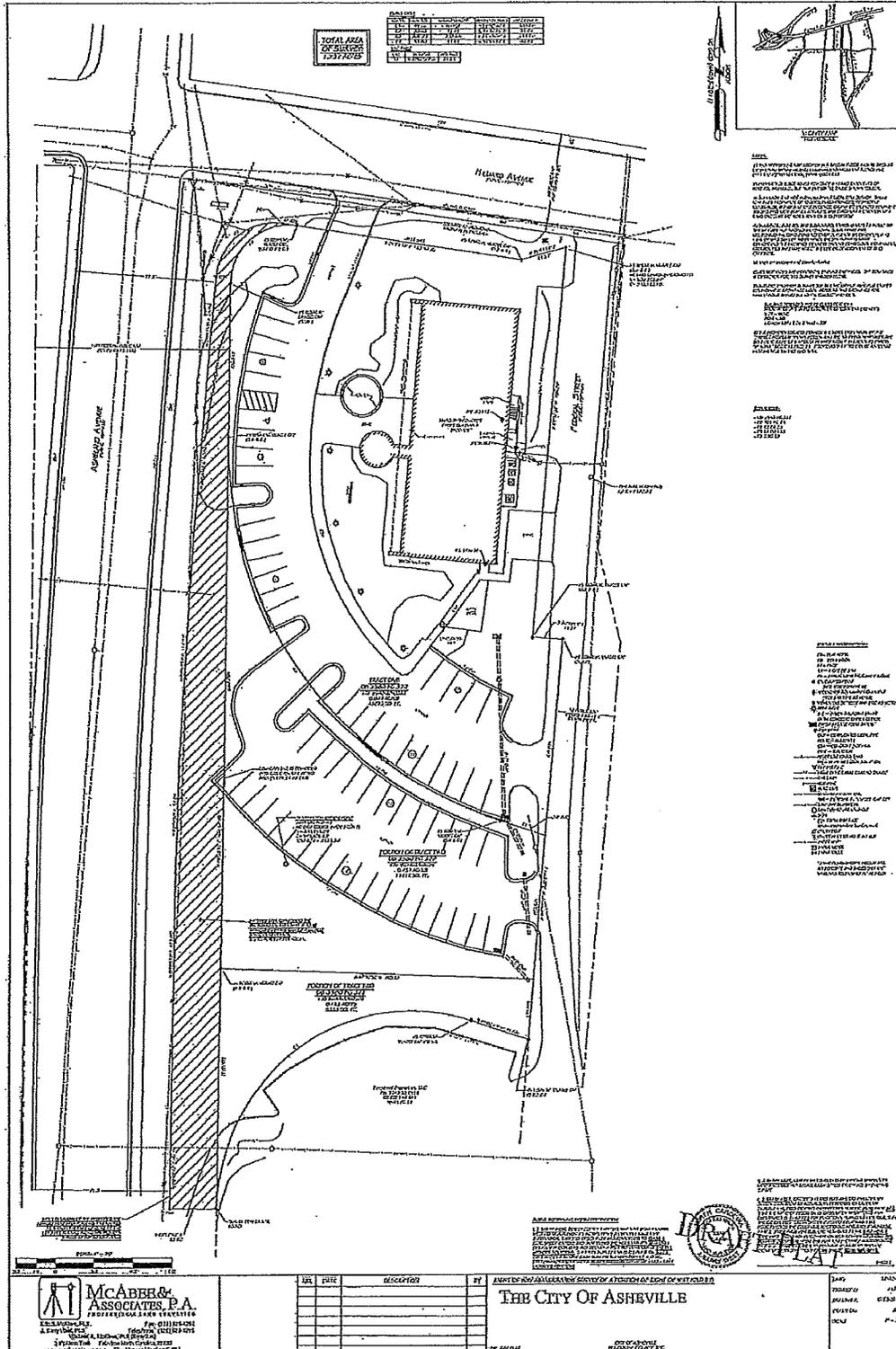
Edwin E. Mc
Mayor

Approved as to form:

Matthew McElshon
City Attorney

Magdalen Boulleson
City Clerk

Exhibit A



RESOLUTION NO. 14-44

RESOLUTION OF INTENT TO PERMANENTLY CLOSE A PORTION OF SOUTH ANN STREET

WHEREAS, the City of Asheville is hereby declaring its intent to permanently close an unnamed alley off of South Ann Street; and

WHEREAS, said rights-of-way are not under the control of the North Carolina Department of Transportation;

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

Commencing at the Northeast corner of Tract One as described in Deed Book 5163 at Page 681 and recorded in the Buncombe County Register of Deeds Office, said point being at the intersection of Patton Avenue and South Ann Street, thence S 14° 00' 00" E, 115.00' to the Northwest corner of the existing Alley and the Point of Beginning of the Alley description. From said Beginning Point, along the northern line of said Alley and the Southern boundary lines of Tract One and Tract Two as Described in Deed Book 5163, at page 681, N 75° 14' 11" E, 101.11' to the western side of a parcel of land described in Deed Book 5155, at Page 585, Parcel 2, and recorded in said Register of Deeds and being the Northeast corner of said Alley, thence with the western boundary line of said deed and the Eastern boundary of said Alley, S 12° 49' 24" E, 12.01', thence along the northern side of the parcel described as Parcel 3 in Deed Book 5155, at Page 585 and the Southern line of said Alley, S 75° 14' 11" W, 100.86' to the Northwest corner of said Parcel 3, being at the Eastern line of South Ann Street, thence along the said line of said street, N 14° 00' 00" W, 12.00', the Point of Beginning. Said Alley containing 1,212.32 Sq. Ft. or 0.03 Acres and being a portion of the alley shown in Plat Book 8 at Page 34 and Plat Book 8 at Page 61, and recorded in Buncombe County Registry of Deeds, as prepared by Blue Ridge Land Surveying Inc., dated April 15, 2014.

1. A public hearing on the question of permanently closing an unnamed alley off of South Ann Street is hereby called for on April 22, 2014, at the regular meeting of the City Council beginning at 5:00 pm., in the City Council Chambers, 2nd floor of the City Hall Building, Asheville, North Carolina.
2. This resolution shall be published in a newspaper of general circulation in Buncombe County, North Carolina, once per week for four successive weeks prior to the aforesaid public hearing on April 22, 2014.
3. The notice of closing and the public hearing herein ordered (copy of this resolution being sufficient for the purpose of said notice), shall be prominently posted in at least two places along the aforementioned portion of South Ann Street. Additionally, a copy of this resolution of intent shall be sent by registered or certified mail to all owners of property abutting this alley, not joining in the petition to close, as shown on the Buncombe County tax maps. The persons effecting the said posting and mailing shall file an affidavit thereof with the City Clerk prior to the public hearing scheduled herein.

Read, approved and adopted this 25th day of March, 2014.

Margaleen Burlington
City Clerk

E. Ann G. Moran
Mayor

Approved as to form:
Matthew W. McElroy
City Attorney

Margaleen Burlington
City Clerk

RESOLUTION NO. 14-45

RESOLUTION OF INTENT TO PERMANENTLY CLOSE UNIVERSITY HEIGHTS AND A PORTION OF EDGEWOOD ROAD

WHEREAS, the City of Asheville is hereby declaring its intent to permanently close University Heights and a portion of Edgewood Road; and

WHEREAS, said rights-of-way are not under the control of the North Carolina Department of Transportation;

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

The City Council hereby declares its intent to permanently close University Heights and a portion of Edgewood Road being described as follows:

- (1) University Heights in its entirety, including the circular part, the Y-shaped intersection with Edgewood Road, and the part that leads down the hill to W. T. Weaver Boulevard; and
- (2) The southernmost part of Edgewood Road, beginning at the Y-intersection described above, and extending in a northerly and easterly direction for approximately 900 feet to the northeast corner of the University property as described in Deed Book 1003 at Page 267.

Both descriptions are more particularly shown on the Exhibit A, attached hereto and incorporated herein by reference.

- 1. A public hearing on the question of permanently closing University Heights and a portion of Edgewood Road is hereby called for on April 22, 2014, at the regular meeting of the City Council beginning at 5:00 pm., in the City Council Chambers, 2nd floor of the City Hall Building, Asheville, North Carolina.
- 2. This resolution shall be published in a newspaper of general circulation in Buncombe County, North Carolina, once per week for four successive weeks prior to the aforesaid public hearing on April 22, 2014.
- 3. The notice of closing and the public hearing herein ordered (copy of this resolution being sufficient for the purpose of said notice), shall be prominently posted in at least two places along the aforementioned University Heights and portion of Edgewood Road. Additionally, a copy of this resolution of intent shall be sent by registered or certified mail to all owners of property abutting the proposed closings, not joining in the petition to close, as shown on the Buncombe County tax maps. The persons effecting the said posting and mailing shall file an affidavit thereof with the City Clerk prior to the public hearing scheduled herein.

Read, approved and adopted this 25th day of March, 2014.

Magdalen Boulton
City Clerk

Edwin E. Mc
Mayor

Approved as to form:
Matthew McElroy
City Attorney

Magdalen Boulton
City Clerk

Right Of Way Closure

Unopened Right of Way University Heights and a portion of Edgewood Road



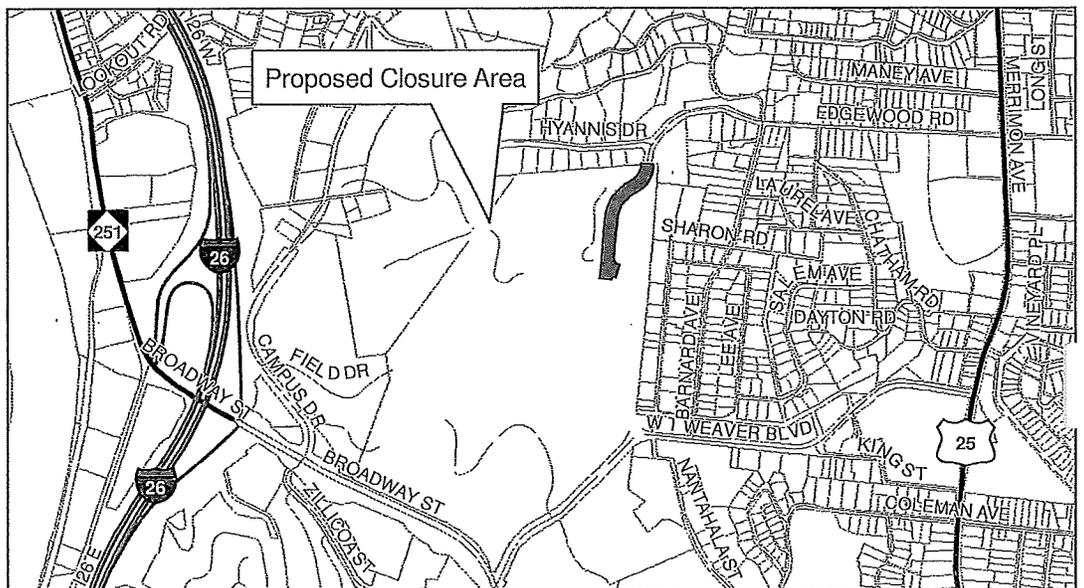
Proposed Closure Area

Legend

- Local Interstate Highways (Buncombe County)
- Local US Highways (Buncombe County)
- Local NC Highway (Buncombe County)
- Local Highway Ramps (Buncombe County)
- Local Blue Ridge Parkway (Buncombe County)
- NC Interstate Highways (Generalized)
- Streets (Buncombe County)

University Heights

Edgewood Road



Proposed Closure Area

RESOLUTION NO. 14-46

RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH LEAF COMMUNITY ARTS ON CITY-OWNED REAL PROPERTY EAST ASHEVILLE CENTER AT 906 TUNNEL ROAD, ASHEVILLE NORTH CAROLINA

WHEREAS, the City of Asheville is the owner of the real property East Asheville Center located at 906 Tunnel Road, Asheville North Carolina, identified as PIN #9658.87-73-32000000; and

WHEREAS, LEAF Community Arts, a North Carolina non-profit organization, wishes to enter into a lease agreement in order to operate cultural arts programs and services for public purposes at the East Asheville Center at 906 Tunnel Road; and

WHEREAS, N. C. Gen. Stat. sec. 160A-272 authorizes the City to enter into leases of 10 years or less upon resolution of the City Council adopted at a regular meeting after 10 days public notice; and

WHEREAS, the City Clerk published a Notice of Intent in connection with the proposed lease agreement on Friday March 14, 2014 in the Asheville Citizen-Times; and

WHEREAS, the term of the lease agreement will be for five (5) years; and

WHEREAS, as consideration for the lease, LEAF Community Arts agrees to pay to the City \$1.00 per year, and operate cultural programs using the Easel Rider Mobile Art Lab on behalf of the City;

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

The City Manager is hereby authorized to execute the Lease Agreement between the City of Asheville and LEAF Community Arts for the real property at East Asheville Center at 906 Tunnel Road, Asheville North Carolina. In addition, the City Manager is hereby authorized to execute any and all documents necessary to give effect to this resolution, subject to approval by the City Attorney, and compliance with applicable North Carolina law.

Read, approved and adopted this 25th day of March, 2014.

Margalene Paulson
City Clerk

Eden G. Mc
Mayor

Approved as to form:

Matthew McPherson
City Attorney

Margalene Paulson
City Clerk

RESOLUTION NO. 14-47

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A NON MATCHING GIFT FROM THE NORFOLK SOUTHERN FOUNDATION TO BE USED BY HAZARDOUS MATERIALS REGIONAL RESPONSE TEAM 6 – ASHEVILLE

WHEREAS, pursuant to N.C.G.S. §160A-4, cities in North Carolina have authority to exercise the powers that are reasonably necessary or expedient to carry them into execution and effect; and,

WHEREAS, the Norfolk Southern Foundation has made funds available to help offset operational expenses for hazardous materials teams when training or purchasing equipment to enhance a response; and

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

WHEREAS, it is a public purpose for cities in North Carolina to conduct training and purchase equipment to enhance operational concerns for hazardous materials;

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

The City Manager is hereby authorized to enter into an agreement with the, the Norfolk Southern Foundation for a non-matching gift in the amount of \$1,400 to use to enhance equipment or training for Asheville Fire Department Regional Response Team 6.

Read, approved and adopted this 25th day of March 2014..

Magdalen Boulton
City Clerk

Stan G. Lee
Mayor

Approved as to form:

Martha McElroy
City Attorney

Magdalen Boulton
City Clerk

RESOLUTION NO. 14--48

RESOLUTION DIRECTING THE CITY CLERK TO ADVERTISE A SEALED BID SALE OF ONE PARCEL OF CITY OWNED PROPERTY LOCATED AT 30 ROCK HILL PLACE

WHEREAS, North Carolina General Statutes Section 160A-268 provides for the sale of real property by advertisement and sealed bid; and

WHEREAS, the City of Asheville owns the property at 30 Rock Hill Place (0.34 acres. PIN 9656-28-0496-00000);

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

1. The Asheville City Council hereby authorizes the sale of the following described property by sealed bid: 30 Rock Hill Place (0.34 acres. PIN 9656-28-0496-00000).
2. The City will accept sealed bids for the properties until 3:30 p.m., Thursday, May 1, 2014. Bids shall be delivered to the office of the Real Estate Manager, Room 508, fifth floor of Asheville City Hall, 70 Court Plaza, Asheville N.C.
3. At 3:30 p.m., Thursday, May 1, 2014, all bids received shall be open in public and the amount of each bid recorded. The record of bids shall be reported to the Asheville City Council at their regular meeting on Tuesday, May 13, 2014 at 5 p.m.
4. The Asheville City Council will determine the highest qualifying bid for the property and award or reject the bid.
5. To qualify, a bid must be accompanied by a bid deposit of five percent (5%) of the amount of the bid, in the form of cash, cashier's check, or certified check. The deposit of the highest bidder(s) will be held until the sale of property is closed; and if the bidder refuses to close, then the bid shall be forfeited to the City. The deposits of other bidders will be returned at the time of the award.
6. The City reserves the right to withdraw the property from sale at any time and the right to reject all bids.

Read and approved and adopted this 25th day of March 2014.

Magdalen Paulson
CITY CLERK

Eric M...
MAYOR

Approved as to form:

Martha McPherson
CITY ATTORNEY

Magdalen Paulson
City Clerk

RESOLUTION NO. 14-49

RESOLUTION AMENDING RESOLUTION NO. 13-168, A RESOLUTION RATIFYING AND APPROVING THE EXECUTION OF TWO CONSTRUCTION CONTRACTS

WHEREAS, by Resolution No. 13-168, adopted August 13, 2013, City Council authorized the execution of two construction contracts to make immediate repairs to City roads following failures after a continuous and steady downpour of rainwater during the summer month of 2013; and

WHEREAS, Resolution No. 13-168, erroneously identified the name of the contractor for each of the two projects and; and

WHEREAS, it is the purpose and intent of this Resolution to amend Resolution No. 13-168, to correctly identify the name of the contractor for each road project identified therein, and to clarify that funds may be expended on both projects up to the total project budget;

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

1. The 7th Whereas of Resolution No. 13-168, is hereby repealed and the following substituted in lieu thereof:

WHEREAS, considering the special circumstances, the need for rapid mobilization, care and caution for the protection of all; and minimize potential environmental impacts, etc., the following two contractors were awarded the contracts: Buchanan & Sons, Inc. of Whittier, N.C., for Sunset Drive and Skyview Place for \$267,674 and Young & McQueen Grading Company, Inc. of Burnsville, N.C., for Spooks Branch Road for \$425,450, plus contingencies, based primarily upon lowest responsible, responsive bids, availability to mobilize, bonding capacity and previous performance on similar projects.

2. The language following the NOW THEREFORE, clause of Resolution No. 13-168, is hereby repealed and the following substituted in lieu thereof:

The execution of the foregoing construction contracts by the City Manager of the City of Asheville are hereby ratified and approved as consistent and not in abrogation of the provisions of the City of Asheville Contracting and Procurement Policy: Buchanan & Sons, Inc. of Whittier, N.C., for Sunset Drive and Skyview Place for repairs for \$267,674 and Young & McQueen Grading Company, Inc. of Burnsville, N.C. for Spooks Branch Road for \$425,450, plus contingencies; all not to exceed the total project budget.

3. Except as herein amended, the remaining provisions of Resolution No 13-168, shall remain in full force and effect.

Read, approved and adopted this 25th day of March, 2014.

Margalene Burleson
City Clerk

Eric Mc
Mayor

Matthew McMan
City Attorney

Margalene Burleson
City Clerk

RESOLUTION NO. 14--50

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HENDERSON COUNTY TO LEASE ONE VAN

WHEREAS, Henderson County is a sub-recipient of Federal funds through the City of Asheville; and

WHEREAS, as part of the sub-recipient agreement, the City of Asheville is required to execute agreements and purchase and own all of Henderson County's capital assets that are purchased with Federal funding; and

WHEREAS, Henderson County has identified the need to buy a van as one of the priorities in their capital program; and

WHEREAS, there is a contract in place that the City can use to order the van; and

WHEREAS, Henderson County has identified all of the funding sources needed to fund the project; and

WHEREAS, a lease agreement has to be signed by both parties to define the terms and conditions to operate these buses, as required by the Federal Transit Administration; and

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

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

City Council authorizes the City Manager to enter into an agreement with Henderson County to lease one van.

Read, approved and adopted this the 25th day of March, 2014.

Magdalen Boulton
City Clerk

[Signature]
Mayor

Approved as to form:
[Signature]
City Attorney

Magdalen Boulton
City Clerk

RESOLUTION NO. 14- 51

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ELLUM ENGINEERING, INC. FOR ENGINEERING SERVICES FOR THE CTS WATERLINE EXTENSION CONSTRUCTION ADMINISTRATION

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, Ellum Engineering, Inc. was selected by Staff via a Request for Qualifications process to perform engineering services related to the CTS Waterline Extension Construction Administration Project for the not-to-exceed amount of \$155,000.00; and

WHEREAS, Ellum Engineering, Inc. will ensure timely completion and provide the City of Asheville with the ability fulfill the conditions of the Memorandum of Understanding with Buncombe County;

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 professional services agreement with Ellum Engineering, Inc. for engineering services in the not-to-exceed amount of \$155,000.00 for the CTS Waterline Extension Construction Administration; and further authorized to execute any change orders to said contract or documents which may arise during said project up to the budgeted amount.

Read, approved and adopted this 25th day of March, 2014.

Magdalen Boulton
City Clerk

[Signature]
Mayor

Approved as to form:

[Signature]
City Attorney

Magdalen Boulton
City Clerk

RESOLUTION NO. 14-52

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN EASEMENT TO DUKE ENERGY PROGRESS, INC. FOR AN ELECTRIC POWER LINE ON PROPERTY LOCATED AT CURVE STREET

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

WHEREAS, the City of Asheville, hereinafter the City, owns property located at Curve Street, identified as PIN # 964868587800000; and

WHEREAS, Duke Energy Progress, Inc. requests that the City grant an easement measuring approximately 1080 square feet in order to accommodate for an electric power line; 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:

Pursuant to North General Statute Sec. 160A-273, the City Manager 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 Curve Street PIN # 964868587800000 to Duke Energy Progress, Inc. In addition, the City Manager is hereby authorized to execute any and all documents necessary to give effect to this resolution, subject to approval by the City Attorney, and compliance with applicable North Carolina law.

Read, approved and adopted this 25th day of March, 2014.

Magdalena Brulson
City Clerk

Edmund G. New
Mayor

Approved as to form:

Martha McPherson
City Attorney

Magdalena Brulson
City Clerk

RESOLUTION REVISING THE TRAFFIC CALMING POLICY AND INSTRUCTING STAFF TO MOVE FORWARD WITH THE ACTION PLAN TO CONSTRUCT SPECIFIC PROJECTS

WHEREAS; pursuant to General Statute # 160A-296, the City of Asheville has general authority and control over the public streets within its jurisdiction; and

WHEREAS; the Traffic Calming Policy was adopted by City Council on February 22, 2000 via Resolution # 00-39; and

WHEREAS; City Council has reviewed certain changes to the Traffic Calming Policy and has determined that it is in the City's interest to approve them; and

WHEREAS; City Council has approved funds for the current fiscal year to begin constructing projects that are listed on the "backlog" list; and

WHEREAS; City Council has reviewed the attached action plan and has determined that it is in the City's interest to instruct staff to move forward with it, subject to budgetary limitations;

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

City Council approves certain changes to the Traffic Calming Policy and instructs staff to move forward with the attached action plan to begin construction projects that are listed on the "backlog" list.

Read, approved, and adopted this the 25th day of March 2014.

Magdalen Boulson
City Clerk

Edwin R. Mc
Mayor

Walter McElhannon
City Attorney

Magdalen Boulson
City Clerk

ATTACHMENT 2

TRAFFIC CALMING ACTION PLAN

- City Council will consider the recommended changes to the traffic calming policy and the action plan on March 11, 2014.
- Staff will hold internal department meetings during March to be sure that the top five to seven potential projects on the "backlog" list do not have any major issues (all projects on the "backlog" list have been analyzed and are listed in priority based on the established "point" system).
- Staff will define the actual petition areas and prepare the maps and petition forms for the top five to seven potential projects for the 60% petition process during March and April.
- Staff will meet with the appropriate neighborhood groups for the top five to seven potential projects to review the proposed projects and to instruct them on the 60% petition process during March and April (the neighborhood groups will be responsible to obtain the appropriate signatures). It should be pointed out that since the "backlog" list is quite old, interest in traffic calming on some of the streets might have declined due to a variety of reasons. Staff will make every reasonable effort to work with the affected stakeholders including helping them to establish neighborhood groups before dropping a street from the "backlog" list.
- The contract and construction phase will occur during May and June and it is anticipated that \$100,000 will be obligated towards the top five to seven potential projects. At this time, it is uncertain if a single contract will be awarded or if multiple contracts will be awarded. In addition, staff does not anticipate that all of the work will be completed by June 30, 2014 (for the current fiscal year only) but that in future years, the work will be started and completed within the specific fiscal year. One of the unknowns is the 60% petition process and how long it might take to complete it. The top two streets on the "backlog" list (Bear Creek Road and Riverview Drive) will help staff determine how successful the overall process will be since they both have established neighborhood groups that are ready to move forward. Throughout the process, staff will constantly seek input from these neighborhood groups to determine what, if any, improvements should be made for the future projects.
- Staff will develop a structured neighborhood awareness campaign and education process including the appropriate materials during the first half of FY 2014-15 including input from the Asheville Police Department (the Community Resource Officers), the Neighborhood Advisory Committee, and the Bicycle and Pedestrian Task Force sub-committee.

COUNTY RESOLUTION NO. 14-03-12

CITY RESOLUTION NO. 14-54

Resolution Regarding the I-26 Connector

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- WHEREAS, traffic congestion and safety are increasing problems along I-240 and I-26 through Asheville, a critical route for regional commerce and tourism; and
- WHEREAS, local and regional residents, visitors, interstate travelers and commercial freight haulers rely on this route in ever increasing numbers; and
- WHEREAS, improvements to the I-240 and I-26 corridor should be minimally disruptive to the local community and should enhance the quality of life for residents and visitors wherever possible; and
- WHEREAS, North Carolina Department of Transportation (NCDOT) in its planning of TIP Project I-2513 (the project), has indicated preliminary commitment to alternatives that, compared to earlier proposals, reduce relocation of homes and businesses, reduce sound impact through better deployment of sound walls and provide critically needed bicycle, pedestrian and neighborhood connectivity infrastructure consistent with local government master plans; and
- WHEREAS, the NCDOT and the Federal Highway Administration have expressed openness to consider design alternatives that reduce scale and cost of the project, including the number of lanes required, should upcoming traffic demand studies warrant and justify reductions; and
- WHEREAS, in the event that the selected design alternative does not include modifications to the I-240 infrastructure on the east side of the French Broad River to support urban redevelopment, improved connection of neighborhoods, and improvements to local traffic patterns; local governments will evaluate a separate future project through the French Broad River Metropolitan Planning Organization (FBRMPO) to address those concerns; and
- WHEREAS, various detailed alternatives for design and implementation of the project are to be fully evaluated and provided to decision makers for formal consideration as required under the National Environmental Policy Act in the Environmental Impact Statement in the coming months; and local leaders, working through the FBRMPO, can only then provide their final endorsement of any alternative; and
- WHEREAS, the City of Asheville, in its five-year capital improvement plan, has designated \$1 million in co-funding for the project to support critically needed community-connectivity features; and
- WHEREAS, members of the community have expressed their strong preference that the project soon be funded and constructed in a way that solves current congestion and safety

problems while mitigating negative project impacts and addressing community needs;
and

WHEREAS, NCDOT is conducting preliminary cost benefit evaluations of similar projects statewide under the Strategic Prioritization Process to establish specifically which projects will be eligible for near-term funding of design and construction under the recently adopted Strategic Mobility Formula.

THEREFORE BE IT RESOLVED by the Board of Commissioners for the County of Buncombe and the City Council of the City of Asheville, as follows:

1. That the Board of Commissioners for the County of Buncombe and the Asheville City Council, along with the FBRMPO, hereby recommend that for the purpose of the upcoming scoring and ranking process, NCDOT use the estimated cost of \$230 million associated with the preliminary 3c alignment alternative for the B section of the project; and, in preparation of the draft Environmental Impact Statement for the project, NCDOT clearly include elements that will address community needs for sound barriers and bicycle, pedestrian and neighborhood connections, including location, design, and the funding methodology of associated infrastructure elements.
2. That this resolution be effective upon its adoption.

ADOPTED this the 18th day of March, 2014, by the Board of Commissioners for County of Buncombe.

ATTEST

Kathy Hughes
KATHY HUGHES, COUNTY CLERK

BOARD OF COMMISSIONERS FOR
COUNTY OF BUNCOMBE

BY David Gantt
DAVID GANTT, CHAIRMAN

APPROVED AS TO FORM

Robert J. Deutah
COUNTY ATTORNEY

ADOPTED this the 25th day of March, 2014, by the City Council of the City of Asheville.

ATTEST

Magdalen Burleson
MAGDALEN BURLESON, CITY CLERK

ASHEVILLE CITY COUNCIL

BY Esther Manheimer
ESTHER MANHEIMER, MAYOR

APPROVED AS TO FORM

Walter McElroy
CITY ATTORNEY

Magdalen Burleson
City Clerk

RESOLUTION ADOPTING A POLICY FOR THE NAMING OF PUBLICLY OWNED PROPERTIES

WHEREAS, the City of Asheville has the desire to have a written policy for the naming of publicly owned properties; and

WHEREAS, the City of Asheville desires to recognize noteworthy individuals and/or organizations that have served the community with honor and distinction; and

WHEREAS, the City of Asheville staff have investigated best practices regarding policy of naming publicly owned properties that has resulted in a submitted formal written policy;

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

The City Council of Asheville adopts the attached policy for naming publicly owned properties.

Read, approved and adopted this 25th day of March, 2014.

Magdalen Bunkleson
City Clerk

Ed Arr E
Mayor

Approved as to form:

Matthew McKeon
City Attorney

Magdalen Bunkleson
City Clerk

Policy for Naming Publicly Owned Properties

Purpose - The Asheville City Council (herein referred to after as Council) believes that the naming of public property such as buildings, parks, squares and greenways is a matter of great importance and deserves careful and deliberate consideration. The Council, therefore, establishes this policy to establish a systematic and consistent methodology for the naming of City-owned property.

Applicability - This policy shall apply to all City of Asheville owned property subject to the care, custody and control of the Council, or their designated authorities. Such property is comprised of all the real estate and personal property owned by the City of Asheville.

Policy - When considering the naming of any public property or portion thereof, the Council may consider the following guidelines:

- Priority should be given to names carrying geographical, historical or cultural significance to the area in which the property is located or to the City of Asheville as a whole.
- Property may be named after an individual when the individual has a historical association with the property, the area in which it is located in the City of Asheville as a whole, or where the individual played a leadership role in the City of Asheville, such as through distinguished service in the military, law enforcement, firefighting or public service. Quality of contribution in these areas may be considered along with length of service.
- Property may be named after an individual or organization that has made significant financial or civic contributions to the City of Asheville, or has made a direct financial grant to the City of Asheville for purposes of developing a particular property:
- Names should be chosen in a manner that avoids duplication, confusing similarity or inappropriateness.

Suggestions for the naming of any of any public property or portion thereof may come to the Council from any City of Asheville Department Director or official or any member of the public. Any proposal from the public or otherwise, can bring their request forward to either the Mayor or City Manager or any three members of Council, as is the normal process for placing items on the agenda

Prior to voting on a name, the Council may solicit the advice of surrounding property owners, residents, affected parties, other City officials or anyone else that the Council believes can contribute meaningful input.

The naming of any property or portions thereof shall require a majority vote of the Council members present.

This policy is only a guide and nothing herein shall be construed so as to limit the Council's authority to use its discretion based on the facts and circumstances surrounding a particular issue.

This policy may be amended or rescinded by the Council by majority vote.