RESOLUTION NO. 09 - 160

RESOLUTION ACCEPTING MCCAULEY DRIVE, FLORENCE STREET, AND VERONICA LANE AS CITY-MAINTAINED STREETS

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

WHEREAS, McCauley Drive, Florence Street, and Veronica Lane are located in the corporate limits of the City of Asheville; and

WHEREAS, McCauley Drive, Florence Street, and Veronica Lane were constructed and inspected according to current standards including the City of Asheville's Standard Specifications and Details Manual; and

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

WHEREAS, dedication of the 50 to 150-foot right-of-way for McCauley Drive has been recorded in Plat Book 122 Page 105; and

WHEREAS, dedication of the 28 to 56-foot right-of-way for Florence Street has been recorded in Plat Book 122 Page 105; and

WHEREAS, dedication of the 30-foot right-of-way for Veronica Lane has been recorded in Plat Book 122 Page 105; and

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

McCauley Drive, Florence Street, and Veronica Lane are accepted by the City of Asheville for maintenance as indicated on the attached maps.

Read, approved and adopted this 11th day of August, 2009.

Magdalen Burleson
City Clerk

Mayor

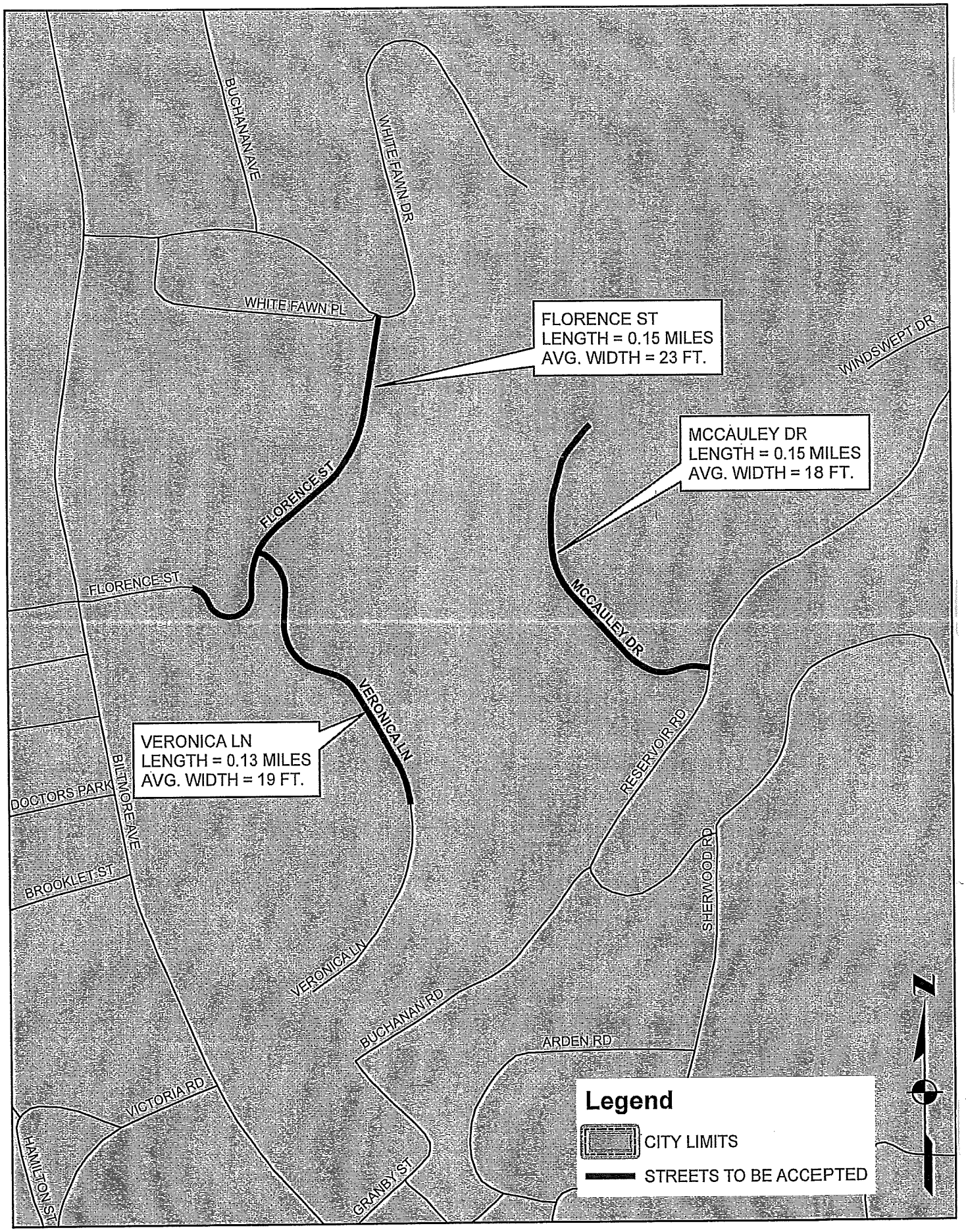
Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

147

ATTACHMENT 2



RESOLUTION NO. 09-161

RESOLUTION IN SUPPORT OF THE "HONOR AND REMEMBER" FLAG AS AN OFFICIAL SYMBOL TO RECOGNIZE AND HONOR MEMBERS OF THE ARMED FORCES WHO HAVE DIED IN THE LINE OF DUTY, AND URGING THE UNITED STATES CONGRESS TO ADOPT THIS FLAG AS A NATIONAL SYMBOL

WHEREAS, since the Revolutionary War, more than one million members of the United States Armed Forces have sacrificed their lives in the line of duty to preserve our freedom; and

WHEREAS, the service and sacrifice of those fallen members of our Armed Forces are deserving of national recognition; and

WHEREAS, at the present time, there is no officially recognized symbol to acknowledge and honor members of our Armed Forces who have died in the line of duty; and

WHEREAS, Congressman Randy Forbes has introduced House of Representatives Bill 1034, which proposes to amend Chapter 9 of Title 36 of the United States Code to designate the "Honor and Remember" Flag created by Honor and Remember, Inc., as an official symbol to recognize and honor members of our Armed Forces who have died in the line of duty; and

WHEREAS, the "Honor and Remember" Flag will serve as a symbol of national gratitude for all those members of the Armed Forces who have given their lives for our freedom; will serve as a daily reminder for all Americans to acknowledge the ultimate price of freedom; and will give comfort to the families who have lost loved ones during military service;

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

The Asheville City Council supports legislation to establish a national flag to honor and remember those who have given their lives in military service for our great nation; and

BE IT FURTHER RESOLVED, that the United States Congress is urged to adopt House of Representatives Bill 1034 to select the "Honor and Remember" Flag which has been created by Honor and Remember, Inc., to serve as a national symbol; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the North Carolina representatives of the United States Senate and House of Representatives.

Read, approved and adopted this 11th day of August, 2009.

Magdalen Burleson
City Clerk

Terry M. Bellamy
Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

149

RESOLUTION NO. 09-162

RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH NORTH CAROLINA RSA #4, INC. FOR TOWER AND RELATED GROUND SPACE ON CITY-OWNED REAL PROPERTY AT 166 RESERVOIR ROAD

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 of Asheville is the owner of real property located at 166 Reservoir Road, formerly White Fawn Reservoir, identified as PIN # 9648-56-7084-00000; and

WHEREAS, North Carolina RSA #4, Inc., a telecommunications company, has offered to enter into a ten year lease agreement in order to expand its main telephone switching office and operate antennas and related equipment upon the property at 166 Reservoir; and

WHEREAS, in exchange for the ten year lease, North Carolina RSA #4 will provide the City with a fully operation telecommunication room and pay an annual lease of $34,200.00 with an annual 4% cost of living increase each successive year; and

WHEREAS, the City Clerk published a Notice of Intent in connection with the proposed lease agreement on July 31, 2009, in the Asheville Citizen-Times; and

WHEREAS, the City's needs for the property during the term of the lease are compatible with the proposed lease;

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

The Mayor is hereby authorized to execute the Lease Agreement between the City of Asheville and North Carolina RSA #4, Inc. for tower and ground space at 166 Reservoir Road. In addition, the Mayor be, and 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 11th day of August, 2009.

Magdalen Bourleson
City Clerk

Terry M Bellamy
Mayor

Approved as to form:

City Attorney

Magdalen Bourleson
City Clerk

RESOLUTION NO. 09-163

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE EASEMENT CALLING FOR THE INSTALLATION AND UPGRADE OF POWER UTILITY LINE ACROSS PROPERTY AT THE ASHEVILLE REGIONAL AIRPORT

WHEREAS, the City has the authority pursuant to N.C.G.S. 160A-273 to grant easements on City property; and

WHEREAS, pursuant to the lease agreement between the City and the Asheville Regional Airport Authority, the Authority has the power to negotiate easements, subject to approval and execution by the City; and

WHEREAS, the Authority has expressed a need for an easement to Progress Energy Carolinas, Inc. across certain property located at the Asheville Regional Airport, as shown on the "Project Layout and Safety Plan" for the "Wright Brothers Way Improvements" project (drawing # PL-1) dated April 2008, and on file in the offices of the Airport Authority, and has requested that the City Council approve and authorize execution of an easement for this purpose; and

WHEREAS, the City Council has determined that the requested easement is in the public interest;

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

The Mayor be, and is hereby, authorized to execute an easement to Progress Energy across City property at the Asheville Regional Airport, the form of said easement to be approved by the City Attorney.

Read, approved and adopted this 11th day of August, 2009.

Magdalen Burleson
City Clerk

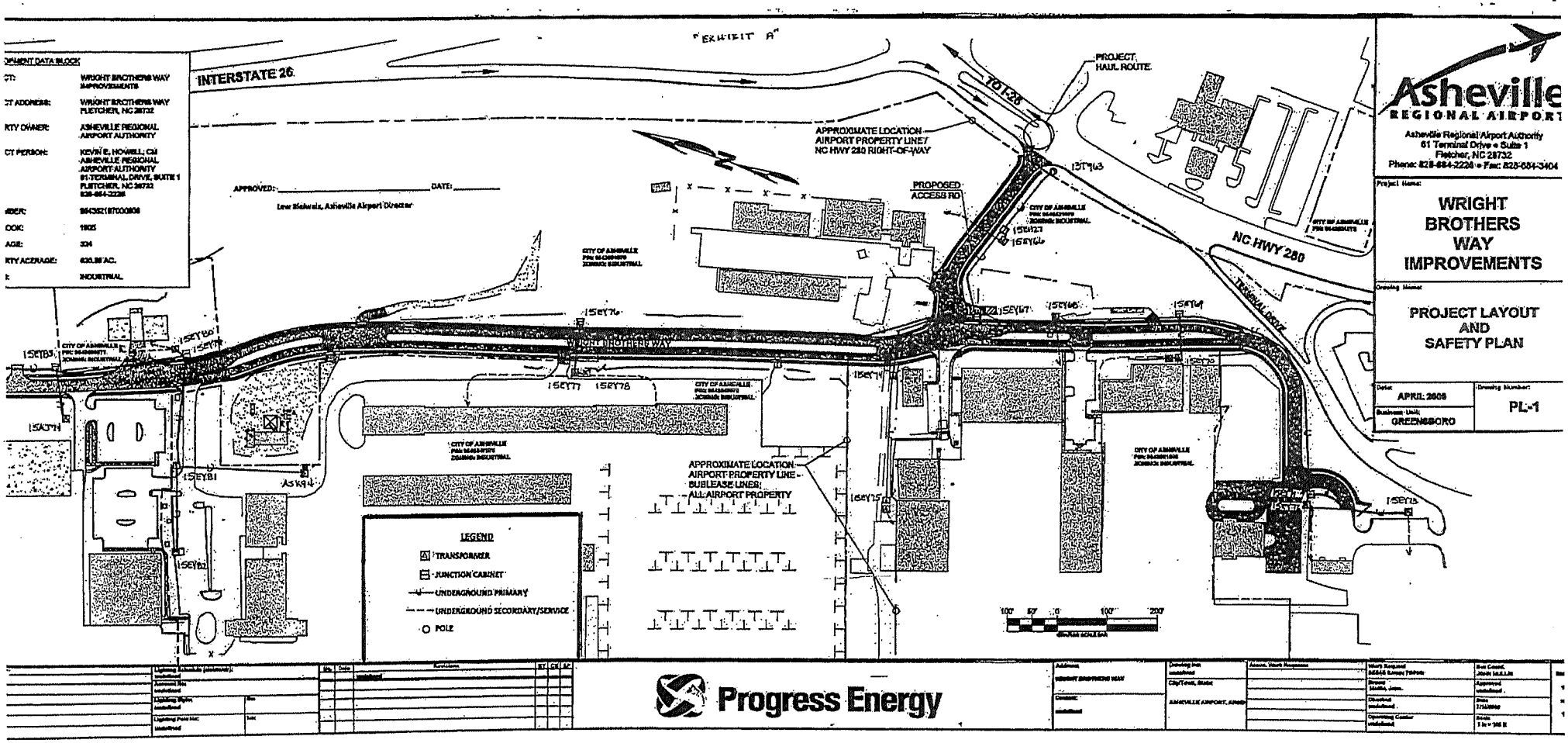
Terry M. Bellamy
Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

EXHIBIT A



THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

RESOLUTION NO. 09-164

RESOLUTION AUTHORIZING MAYOR TO EXECUTE EASEMENT FOR SANITARY SEWER

WHEREAS, the City has the authority pursuant to N.C.G.S. 160A-273 to grant easements on City property; and

WHEREAS, the Metropolitan Sewerage District of Buncombe County proposes to replace existing sanitary sewer line along Fairway Drive in Asheville, and requires permanent and temporary (construction) easements for this purpose on two areas within the City's property known as the Municipal Golf Course, as shown on the attached Exhibit A; and

WHEREAS, the granting of the requested easement is in the public interest;

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

The Mayor be, and is hereby, authorized to execute an easement allowing MSD to construct and maintain certain sanitary sewer improvements on City property, on Fairway Drive in Asheville, subject to the approval of the City Attorney.

Read, approved and adopted this 11th day of August, 2009.

Magdalen Burleson
City Clerk

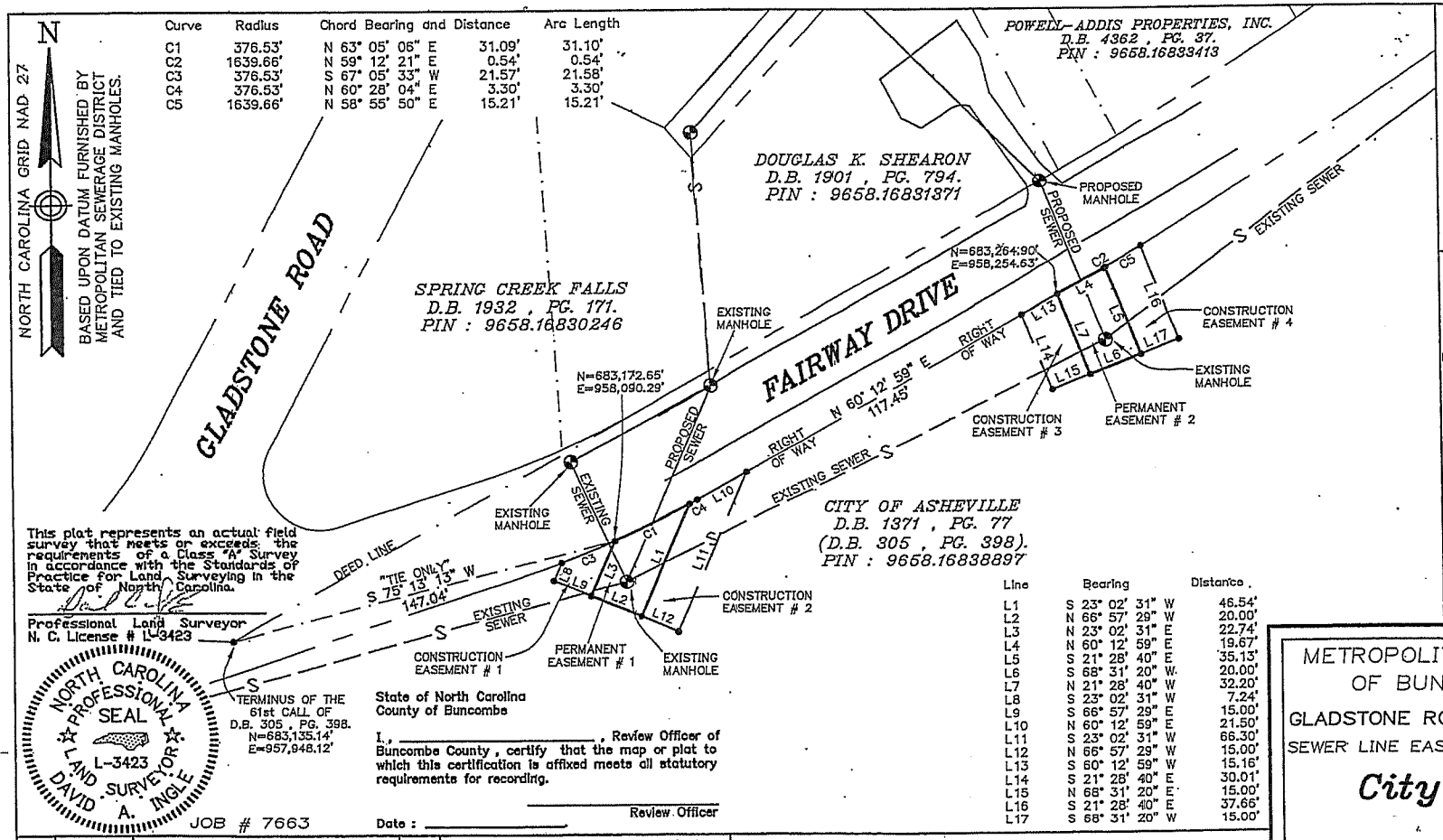
Mayor

Approved as to form:

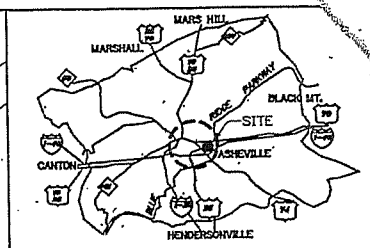
City Attorney

Magdalen Burleson
City Clerk

EXHIBIT A



Curve	Radius	Chord Bearing and Distance		Arc Length
C1	376.53'	N 63° 05' 06" E	31.09'	31.10'
C2	1639.66'	N 59° 12' 21" E	0.54'	0.54'
C3	376.53'	S 67° 05' 33" W	21.57'	21.58'
C4	376.53'	N 60° 28' 04" E	3.30'	3.30'
C5	1639.66'	N 58° 55' 50" E	15.21'	15.21'



VICINITY MAP
No Scale

REFERENCE :
D.B. 1371 , PG. 77.

NOTES :

THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY OR RESTRICTIONS THAT MAY LEGALLY AFFECT THIS PROPERTY.

ALL DISTANCES SHOWN ON THIS PLAT ARE GRID MEASUREMENT.

NO RECOVERABLE N.C. GRID MONUMENTS FOUND WITHIN 2000' OF THIS SITE.

THE COMBINED SCALE FACTOR IS : 0.999790

NO CORNERS SET UNLESS OTHERWISE NOTED.

AREA :

PERM. ESMT. # 1 = 686.17 Sq.Ft. or 0.016 Ac.
PERM. ESMT. # 2 = 673.18 Sq.Ft. or 0.015 Ac.
CONST. ESMT. # 1 = 222.61 Sq.Ft. or 0.005 Ac.
CONST. ESMT. # 2 = 846.11 Sq.Ft. or 0.019 Ac.
CONST. ESMT. # 3 = 466.56 Sq.Ft. or 0.011 Ac.
CONST. ESMT. # 4 = 545.76 Sq.Ft. or 0.013 Ac.

This plat represents an actual field survey that meets or exceeds the requirements of a Class "A" Survey in accordance with the Standards of Practice for Land Surveying in the State of North Carolina.

Professional Land Surveyor
N. C. License # L-3423

NORTH CAROLINA PROFESSIONAL SEAL L-3423 LAND SURVEYOR DAVID A. INGLE

JOB # 7663

State of North Carolina
County of Buncombe

I, _____, Review Officer of Buncombe County , certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer

Date : _____

Line	Bearing	Distance
L1	S 23° 02' 31" W	46.54'
L2	N 66° 57' 29" W	20.00'
L3	N 23° 02' 31" E	22.74'
L4	N 60° 12' 59" E	19.67'
L5	S 21° 28' 40" E	35.13'
L6	S 68° 31' 20" W	20.00'
L7	N 21° 28' 40" W	32.20'
L8	S 23° 02' 31" W	7.24'
L9	S 66° 57' 29" E	15.00'
L10	N 60° 12' 59" E	21.50'
L11	S 23° 02' 31" W	66.30'
L12	N 66° 57' 29" W	15.00'
L13	S 60° 12' 59" W	15.16'
L14	S 21° 28' 40" E	30.01'
L15	N 68° 31' 20" E	15.00'
L16	S 21° 28' 40" E	37.66'
L17	S 68° 31' 20" W	15.00'

METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY , NC

GLADSTONE ROAD REHABILITATION PROJECT

SEWER LINE EASEMENT ACROSS THE PROPERTY OF

City Of Asheville

PIN NUMBER : 9658-16-83-8897

BILTMORE TOWNSHIP

BUNCOMBE COUNTY, N.C.

SCALE : 1"=50'

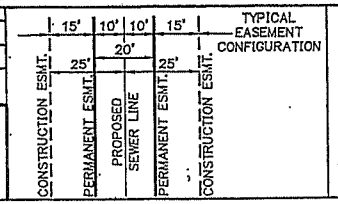
April 17, 2008.

50 0 50 100
SCALE IN FEET

REVISIONS:

Date	Revisions Made	Int.
04-21-09	CHANGED OWNERSHIP ONLY	DAI
04-17-08	ORIGINAL SURVEY	DAI

Cipar , Ingle , Anders & Assoc.
29 N. Market Street
Asheville , N.C. 28801
(828) 258-0297



TYPICAL EASEMENT CONFIGURATION

PERMANENT EASEMENT # 1 : C1 , L1 THRU L3.

PERMANENT EASEMENT # 2 : L4 , C2 , L5 THRU L7.

CONSTRUCTION EASEMENT # 1 : C3 , L8 THRU L9 , L3.

CONSTRUCTION EASEMENT # 2 : C4 , L10 THRU L12 , L1.

CONSTRUCTION EASEMENT # 3 : L13 THRU L15 , L7.

CONSTRUCTION EASEMENT # 4 : C5 , L16 THRU L17 , L5.

RESOLUTION NO. 09-165

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT AMENDMENT WITH CARL WALKER PARKING INC. FOR CIVIC CENTER PARKING GARAGE RESTORATION

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, engineering services are required to determine physical assessment of facilities and corrective measures when required;

WHEREAS, pursuant to N.C.G.S. § 143-64.31, the City announced and advertized the requirements for the professional services project and awarded the project to the best qualified firm; and

WHEREAS, the amount of the Agreement is $4,537.57 and the monies have been budgeted in the Transportation & Engineering's 2008/2009 Fiscal Year Budget;

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

The City Manager is hereby authorized to execute a contract amendment on behalf of the City of Asheville with Carl Walker Parking, Inc, for $4,537.57 for engineering services for Civic Center Parking Garage Restoration.

Read, approved and adopted this the 11th day of August, 2009.

Magdalen Burleson
City Clerk

Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

RESOLUTION NO. 09-166

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH MICHAEL BAKER ENGINEERING, INC. FOR ENGINEERING SERVICES ASSOCIATED WITH THE REYNOLDS MOBILE HOME PARK WATER SYSTEM IMPROVEMENTS PROJECT

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 needs to replace the existing, private, failing water system at the Reynolds Mobile Home Park; and

WHEREAS, pursuant to N.C.G.S. 143-64.31, the City announced and advertised the requirements for the professional services project and awarded the project to Michael Baker Engineering, Inc., the best qualified firm; and

WHEREAS, the North Carolina Department of Environment and Natural Resources has committed grant monies through their North Carolina Water Infrastructure Act of 2005 (N.C.G.S. Chapter 150G) to fully fund this water system improvements project; and

WHEREAS, the amount of the contract is $72,184; and the monies have been budgeted in the Water Resources Department's Fiscal Year Budget;

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

The City Manager be, and is hereby, authorized to enter into a contract on behalf of the City of Asheville with Michael Baker Engineering, Inc. for $72,184 to perform engineering services related to the Reynolds Mobile Home Park Water System Improvements Project.

The City Manager is further authorized to execute any change orders to said contract or documents that may arise during construction of said project up to the budgeted amount.

Read, approved and adopted this 11th day of August, 2009.

Magdalen Bouleson
City Clerk

Mayor

Approved as to form:

City Attorney

Magdalen Bouleson
City Clerk

RESOLUTION NO. 09-167

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH MCGILL ASSOCIATES, PA, FOR ENGINEERING SERVICES ASSOCIATED WITH THE VIEWMONT ACRES SUBDIVISION WATER SYSTEM IMPROVEMENTS PROJECT

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 needs to replace the existing, private, failing water system at the Viewmont Acres Subdivision; and

WHEREAS, pursuant to N.C.G.S. 143-64.31, the City announced and advertised the requirements for the professional services project and awarded the project to McGill Associates, Inc., the best qualified firm; and

WHEREAS, the North Carolina Department of Environment and Natural Resources has committed grant monies through their North Carolina Water Infrastructure Act of 2005 (N.C.G.S. Chapter 150G) to fully fund this water system improvements project; and

WHEREAS, the amount of the contract is $68,450, and the monies have been budgeted in the Water Resources Department's Fiscal Year Budget;

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

The City Manager be, and is hereby, authorized to enter into a contract on behalf of the City of Asheville with McGill Associates, Inc. for $68,450 to perform engineering services related to the Viewmont Acres Subdivision Water System Improvements Project.

The City Manager is further authorized to execute any change orders to said contract or documents that may arise during construction of said project up to the budgeted amount.

Read, approved and adopted this 11th day of August, 2009.

Magdalen Burleson
City Clerk

Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

RESOLUTION NO. 09-168

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT SUBGRANTEE FUNDS VIA BUNCOMBE COUNTY FROM THE NC GOVERNOR'S CRIME COMMISSION GANG VIOLENCE PREVENTION PROGRAM.

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

WHEREAS, the North Carolina Governor's Crime Commission (NCGCC), has awarded Buncombe County to a full grant application in the amount of $730,030 (excluding agency matches) to be shared with APD; and

WHEREAS, The Asheville Police Department's share of the grant funds are $57,300 to be used for equipment purchases and overtime costs; and

WHEREAS, the City's match is $14,325, which is budgeted in the FY 2009-2010 budget;

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 Buncombe County for an NCGCC Gang Violence Prevention grant in the amount of $57,300.

Read, approved, and adopted this 11th day of August, 2009.

Magdalen Burleson
City Clerk

Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

RESOLUTION NO. 09-169

RESOLUTION APPROVING THE PRIORITY OF UNFUNDED IMPROVEMENTS AT MEMORIAL STADIUM AND UNFUNDED ENHANCEMENTS AT THE VETERANS MEMORIAL

WHEREAS, pursuant to N.C.G.S. 160A-353, the City has the authority to provide, acquire, construct, equip, operate, and maintain parks, playgrounds, recreation centers, and recreation facilities, including all buildings, structures and equipment necessary or useful in connection therewith; and

WHEREAS, work has occurred as funds have been available to make improvements at Memorial Stadium and to restore the Veterans Memorial; and

WHEREAS, improvements completed to date at Memorial Stadium include synthetic turf on sports field, field lights and playground. Improvements that remain unfunded are listed below in priority order and will be complete as full funding becomes available; and

Priority 1: concrete bleachers restoration, press box, south parking lot, north parking lot, sidewalks, gates and fencing
Priority 2: basketball court, fitness trail, picnic pavilion, landscaping
Priority 3: practice field, ticket booth, entrance wall and sign, entrance columns and fencing

WHEREAS, the Veterans Memorial was restored to include brick arch restoration, court yard, seating area, World War I and II wall, brick columns and scatter garden, flag poles, fencing and landscaping. Enhancements that remain unfunded are listed below and can occur in any order as full funding becomes available; and

2 war bronze plaques,17 county bronze plaques, 5 war bronze plaques and brick walls, irrigation, 3 scatter garden bronze plaques, electric conduit and lights, 2 benches

WHEREAS, estimated cost does not include general contractor overhead and is subject to change due to the actual final design of certain features, contingency, inflation and the economy at the time the work actually occurs; and

WHEREAS, the list of unfunded future improvements at Memorial Stadium and Veterans Memorial will serve as a guide for future funding;

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

The City Manager is hereby authorized to approve 1) priority of unfunded improvements at Memorial Stadium, and 2) the unfunded enhancements at the Veterans Memorial.

Read, approved and adopted this the 11th day of August, 2009

Magdalen Burleson
City Clerk

Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

RESOLUTION NO. 09- 170

RESOLUTION MAKING PROVISION FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE GOOMBAY FESTIVAL ON THE DATES OF FRIDAY, AUGUST 28, 2009 FROM 10:00 AM – 10:00 PM AND SATURDAY, AUGUST 29, 2009 FROM 10:00 AM – 10:00 PM.

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 Goombay Festival.

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 Goombay Festival event area as shown in the attached site map.

    a. Eagle Street and on the sidewalks along both sides of Eagle Street between Biltmore Avenue and an extension of the eastern margin of the pavement on the eastern side of Spruce Street.

    b. South Market Street and on the sidewalks along both sides of South Market Street from an extension of the front building line of the Municipal Building south to an extension of the northern margin of the pavement on the northern side of South Beaumont Street.

    c. Wilson Alley (also known as Sycamore Street) and the sidewalks on both sides of Wilson Alley, as well as the connecting street sections between Wilson Alley and South Market Street which surround a triangular park area, and the sidewalks on both sides of those streets, as well as the triangular park area.

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 Goombay

Festival on Friday, August 28, 2009 from 10:00 AM – 10:00 PM and Saturday, August 29, 2009 from 10:00 AM – 10:00 PM.

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 Goombay Festival 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 Goombay Festival 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 Goombay Festival, 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 11th day of August 2009.

Magdalen Burleson
City Clerk

Terry M Bellamy
Mayor

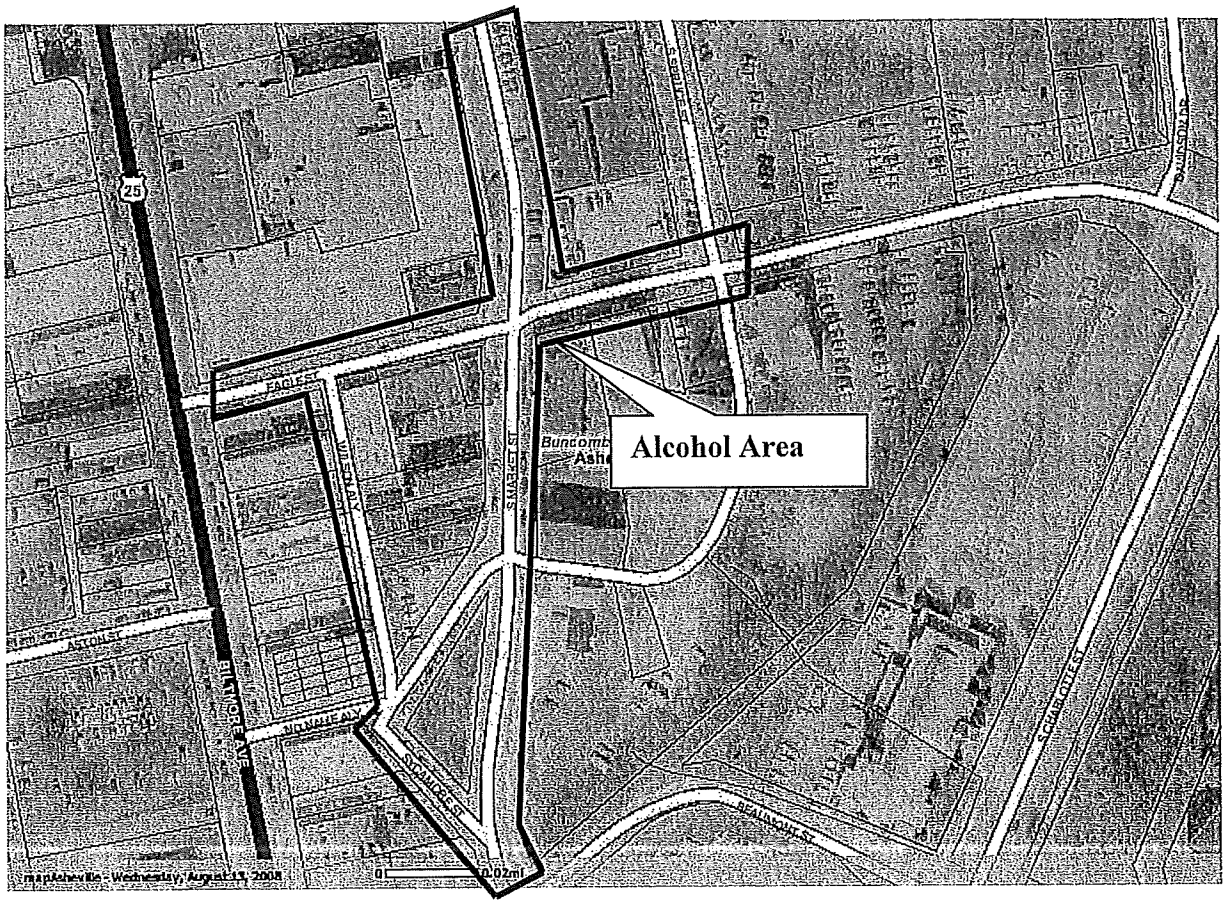
Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

161

Goombay Festival Event Site Map (2009)



RESOLUTION NO. 09- 171

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE LEXINGTON AVENUE ARTS & FUN FESTIVAL ON THE DATE OF SUNDAY, SEPTEMBER 6, 2009 FROM 11:00 AM – 9:00 PM.

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 Lexington Avenue Arts & Fun Festival.

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 Lexington Avenue Arts & Fun Festival event area as shown on attached site map.

   The Lexington Avenue Arts & Fun Festival event area is within the boundaries of Lexington Avenue between College Street & the I-240 overpass.

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 Lexington Avenue Arts & Fun Festival on Sunday, September 6, 2009 from 11:00 AM – 9:00 PM.

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 Lexington Avenue Arts & Fun Festival 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 Lexington Avenue Arts & Fun Festival 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 Lexington Avenue Arts & Fun Festival, 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 11th day of August 2009.

Magdalen Bourleson
City Clerk

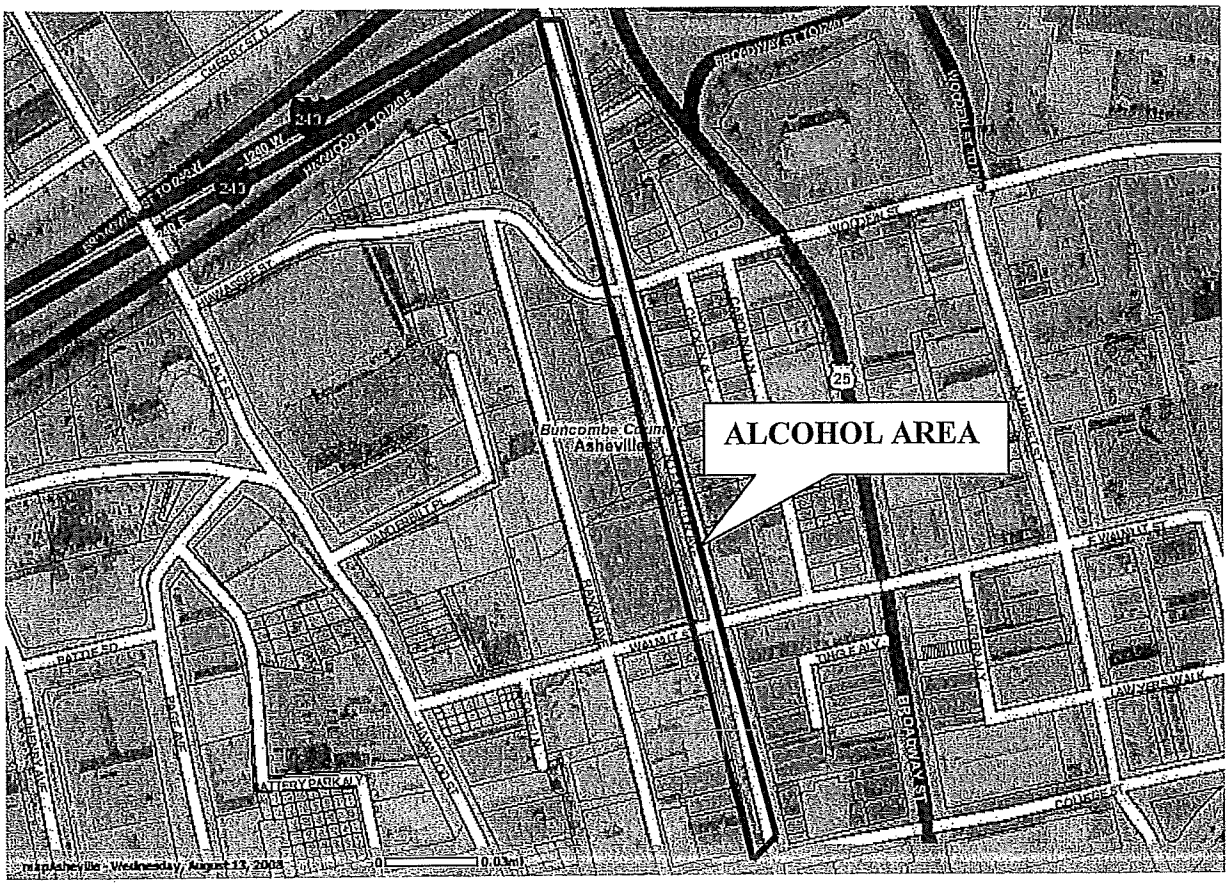
Mayor

Approved as to form:

City Attorney

Magdalen Bourleson
City Clerk

Lexington Avenue Arts & Fun Festival (LAAFF) Event Site Map (2009)



165

RESOLUTION NO. 09- 172

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT ORGANICFEST ON THE DATE OF SUNDAY, SEPTEMBER 13, 2009 FROM 12:00 PM – 6:00 PM.

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 OrganicFest.

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 OrganicFest event area as outlined on attached site map.

   The OrganicFest event area is within the boundaries of Battery Park Avenue and Otis Streets.

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 OrganicFest on Sunday, September 13, 2009 from 12:00 PM – 6:00 PM.

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 OrganicFest 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 OrganicFest 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 OrganicFest, 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 11th day of August 2009.

Magdalen Burleson
City Clerk

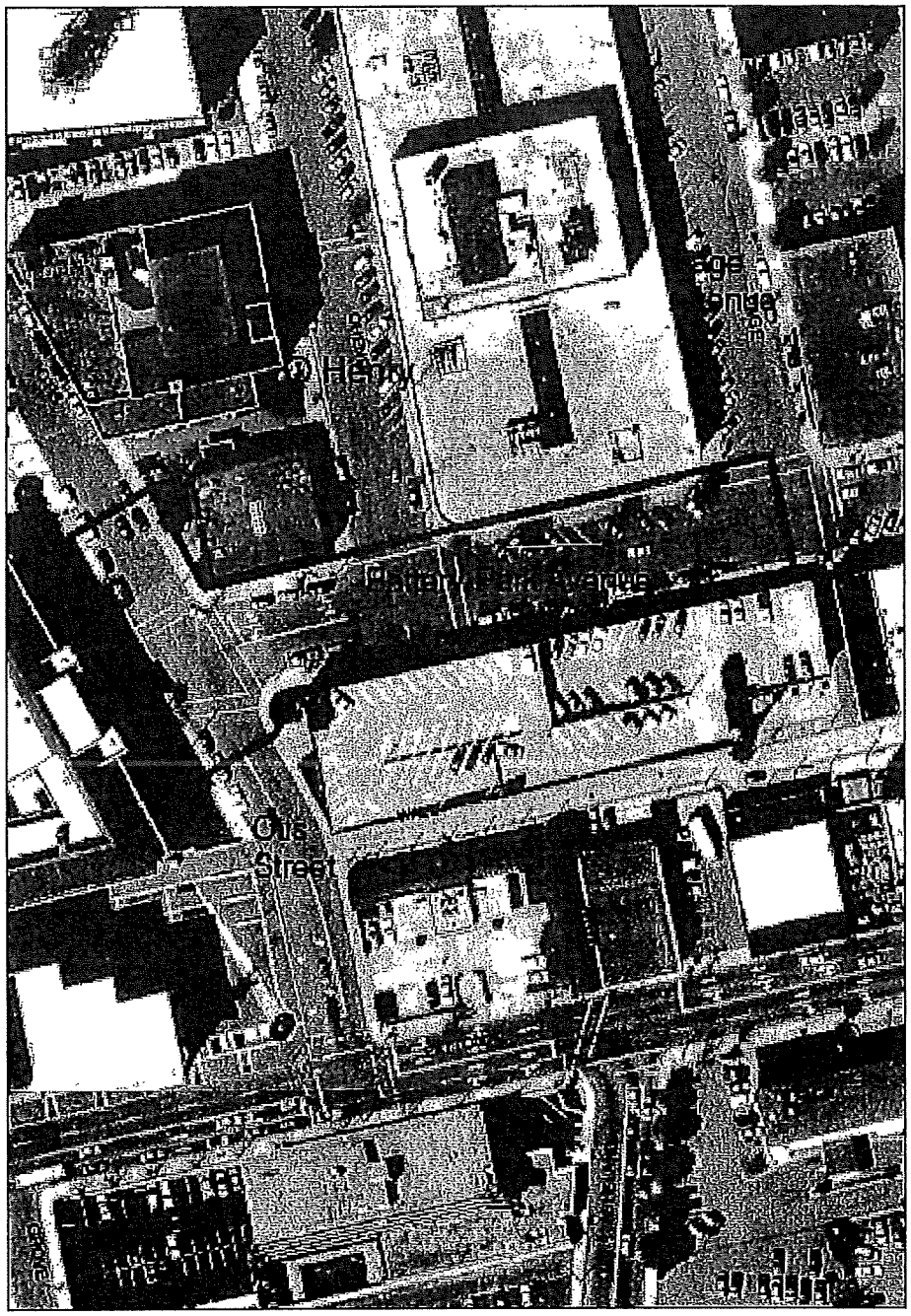
Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

OrganicFest Event Site Map (2009)



Alcohol Area

RESOLUTION NO. 09- 173

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE BREWGRASS FESTIVAL ON THE DATE OF SATURDAY, SEPTEMBER 19, 2009 FROM 12:00 PM – 7:00 PM.

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 Brewgrass Festival.

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 Brewgrass Festival event area as shown on attached site map.

   The Brewgrass Festival event area is within the boundaries of Martin Luther King Jr. Park.

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 Brewgrass Festival on Saturday, September 19, 2009 from 12:00 AM – 7:00 PM.

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 Brewgrass Festival 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 Brewgrass Festival 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 Brewgrass Festival, 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 11th day of August 2009.

Magdalen Bouleson
City Clerk

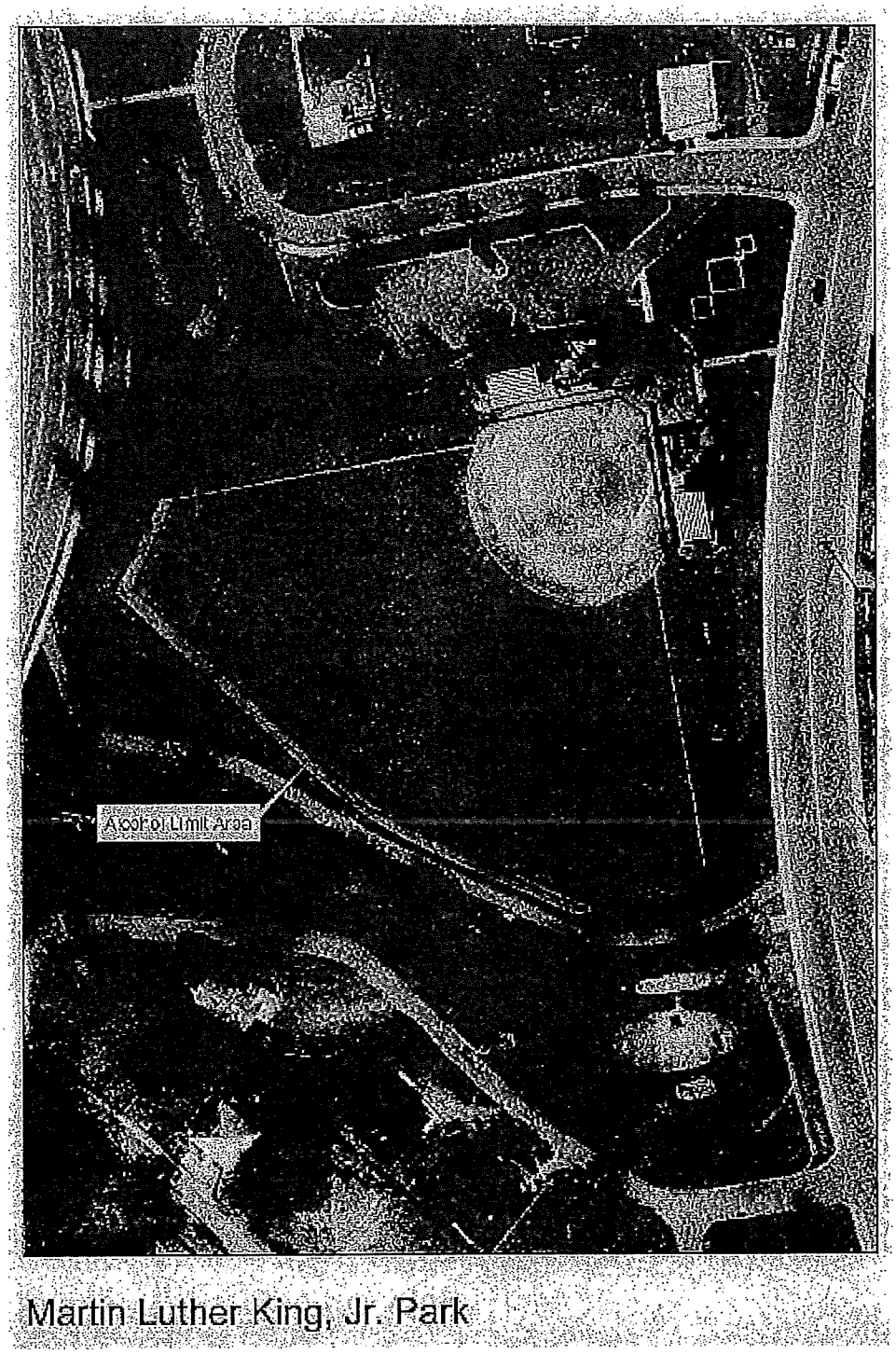
Jerry M Bellamy
Mayor

Approved as to form:

City Attorney

Magdalen Bouleson
City Clerk

Brewgrass Festival Event Site Map (2009)



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RESOLUTION NO. 09- 174

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE ASHEVILLE GREEK FESTIVAL ON THE DATES OF FRIDAY & SATURDAY, SEPTEMBER 25 & 26, 2009 FROM 11:00 AM – 9:00 PM AND SUNDAY, SEPTEMBER 27, 2009 FROM 11:00 AM – 4:00 PM.

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 Greek Festival.

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 Greek Festival event area as shown on attached site map.

   The Asheville Greek Festival event area is within the boundaries of Martin Luther King Jr. Park.

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 Greek Festival on Friday & Sunday, September 25 & 26, 2009 from 11:00 AM – 9:00 PM and Sunday, September 27, 2009 from 11:00 AM – 4:00 PM.

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 Greek Festival 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 Greek Festival 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 Greek Festival, 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 11th day of August 2009.

Magdalen Burleson
City Clerk

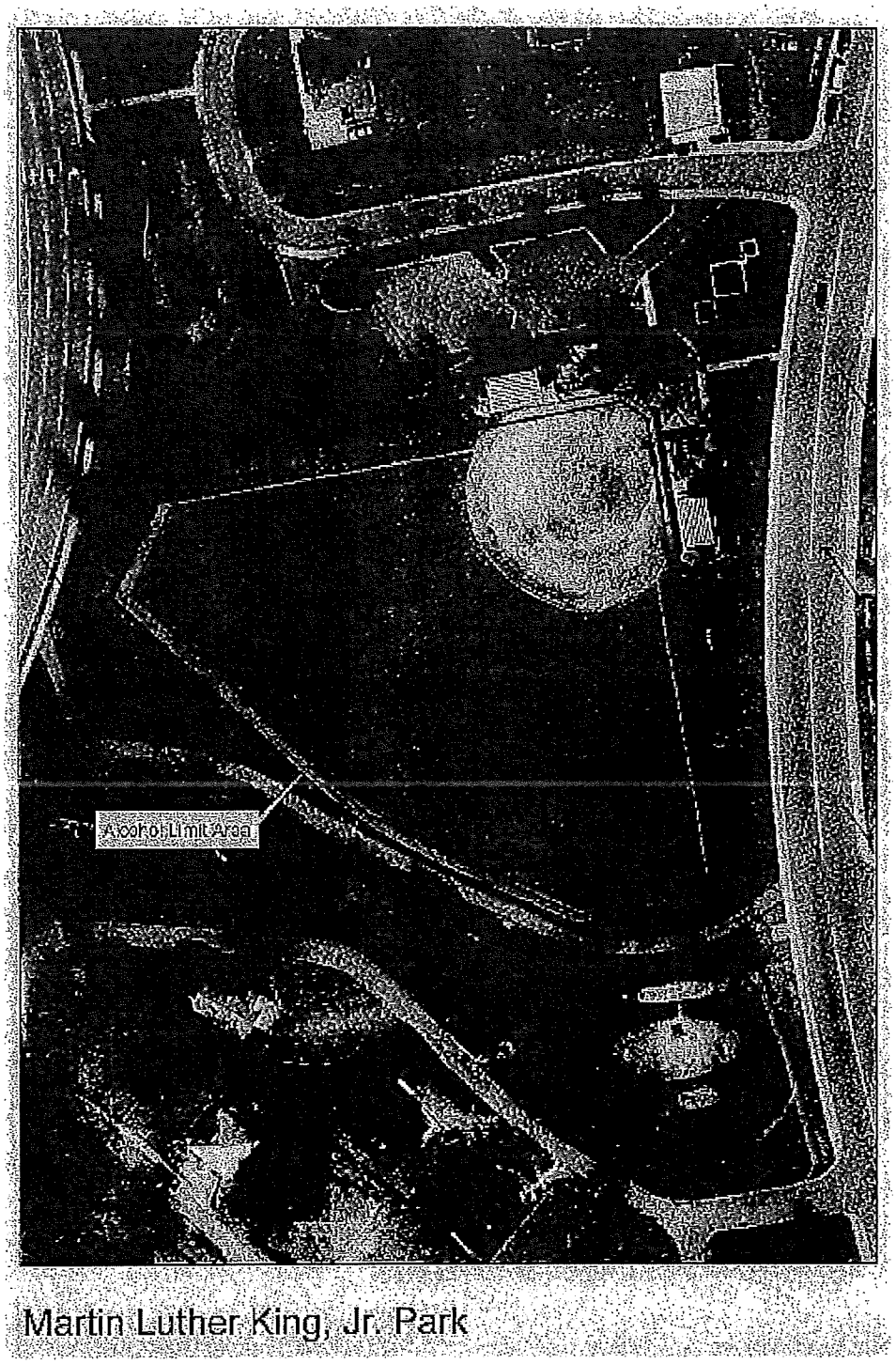
Terry M. Bellamy
Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

Asheville Greek Festival Event Site Map (2009)



RESOLUTION NO. 09- 175

RESOLUTION MAKING PROVISION FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT OKTOBERFEST ON THE DATE OF SATURDAY, OCTOBER 10, 2009 FROM 1:00 PM – 5:00 PM.

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 Oktoberfest.

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 Oktoberfest event area as outlined on attached site map.

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 Oktoberfest on Saturday, October 10, 2009 from 1:00 PM – 5:00 PM.

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 Oktoberfest 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 Oktoberfest 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 Oktoberfest, 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.

175

Read, approved and adopted this 11th day of August 2008

Magdalen Burleson
City Clerk

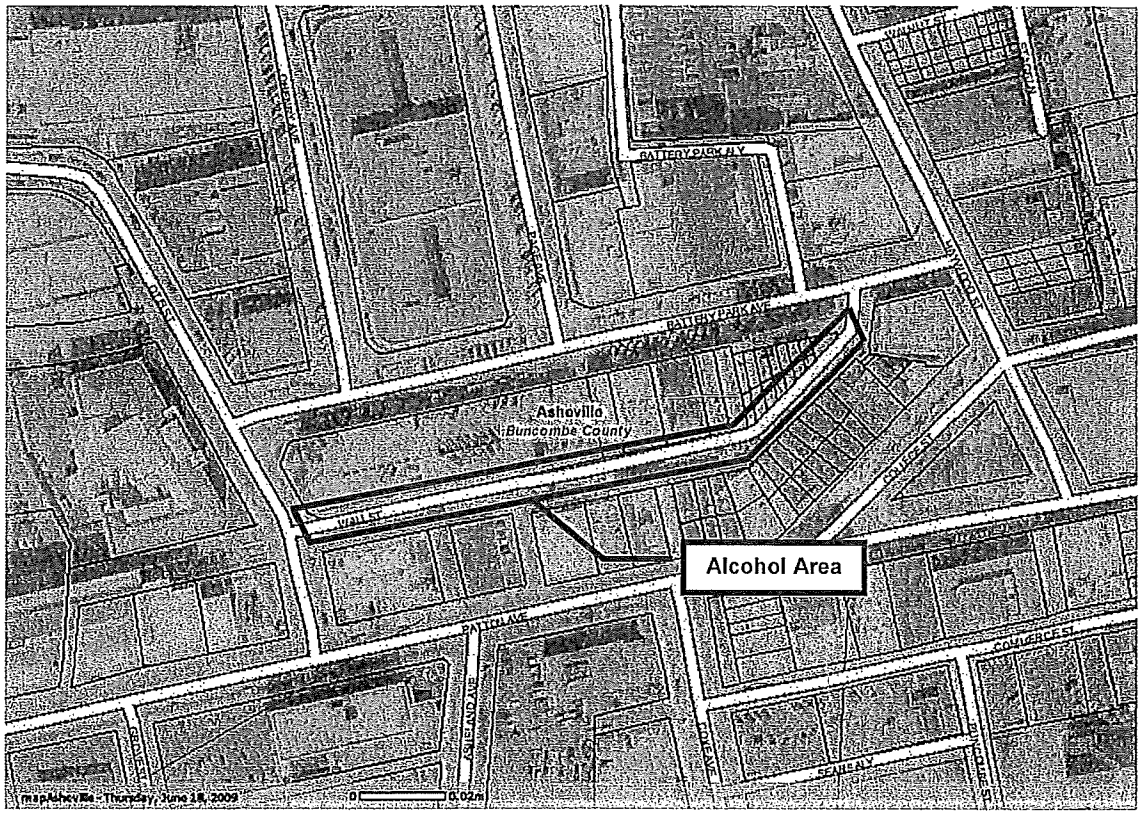
Terry M Bellamy
Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

Oktoberfest Event Site Map (2009)



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RESOLUTION NO. 09- 176

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT BLUE RIDGE PRIDE ON THE DATE OF SATURDAY, OCTOBER 10, 2009 FROM 12:00 PM – 8:00 PM.

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 Blue Ridge Pride.

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 Blue Ridge Pride event area as outlined in attached site map.

   The Blue Ridge Pride event area is within the boundaries of Martin Luther King Jr. Park.

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 Blue Ridge Pride on Saturday, October 10, 2009 from 12:00 AM – 8:00 PM.

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 Blue Ridge Pride 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 Blue Ridge Pride 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 Blue Ridge Pride, 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 11th day of August 2009.

Magdalen Burleson
City Clerk

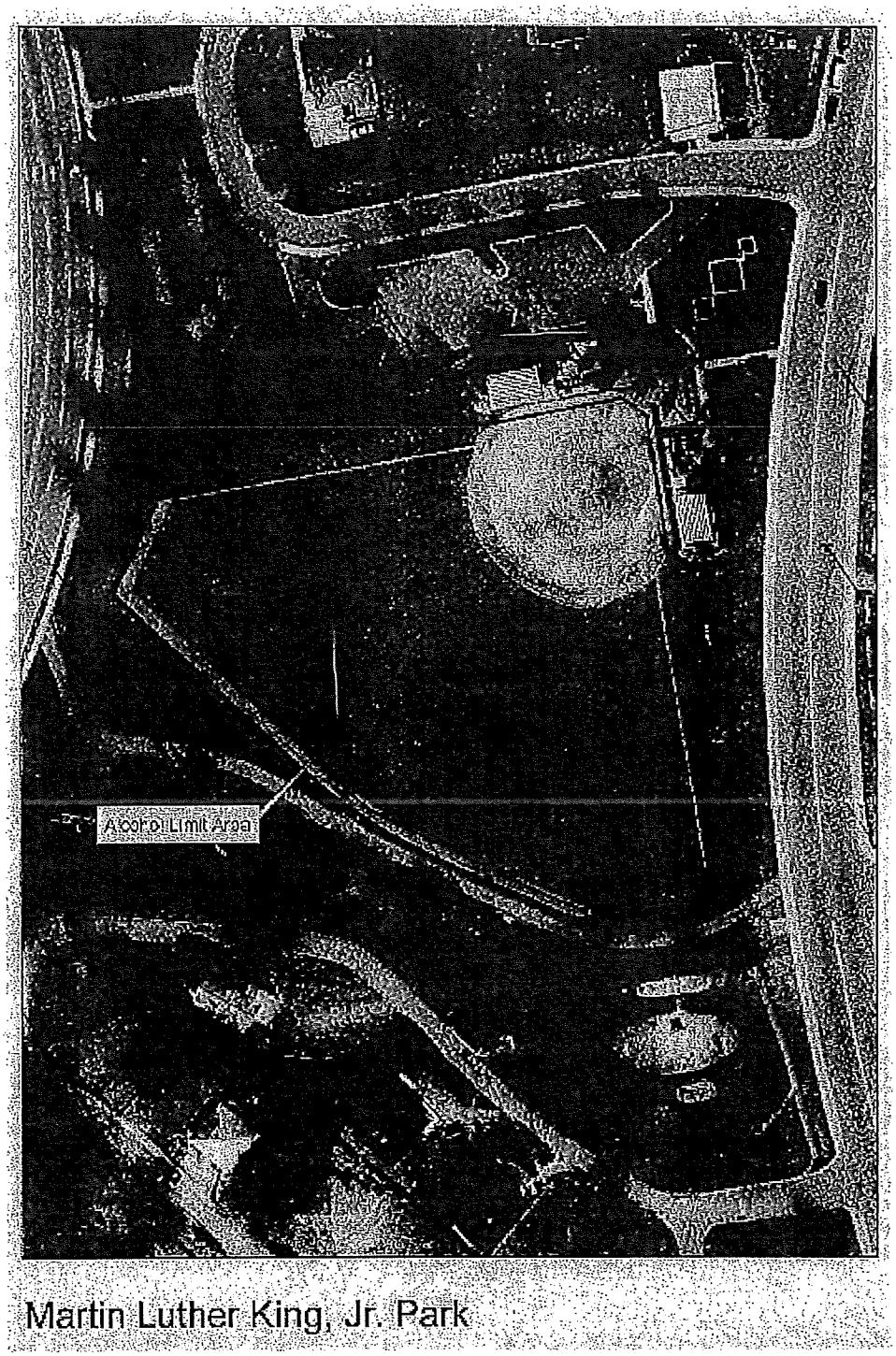
Jerry M Bellamy
Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

Blue Ridge Pride Event Site Map (2009)



RESOLUTION NO. 09- 177

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT JUST BECAUSE YOU'RE ASHEVILLE ON THE DATE OF SATURDAY, OCTOBER 24, 2009 FROM 1:00 PM – 9:00 PM.

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 Just Because You're Asheville.

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 Just Because You're Asheville event area as outlined on attached site map.

   The Just Because You're Asheville event area is within the boundaries of the 100 block of Lexington Avenue.

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 Just Because You're Asheville on Saturday, October 24, 2009 from 1:00 PM – 9:00 PM.

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 Just Because You're Asheville 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 Just Because You're Asheville 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 Just Because You're Asheville, 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 11th day of August 2009.

Magdalen Burleson
City Clerk

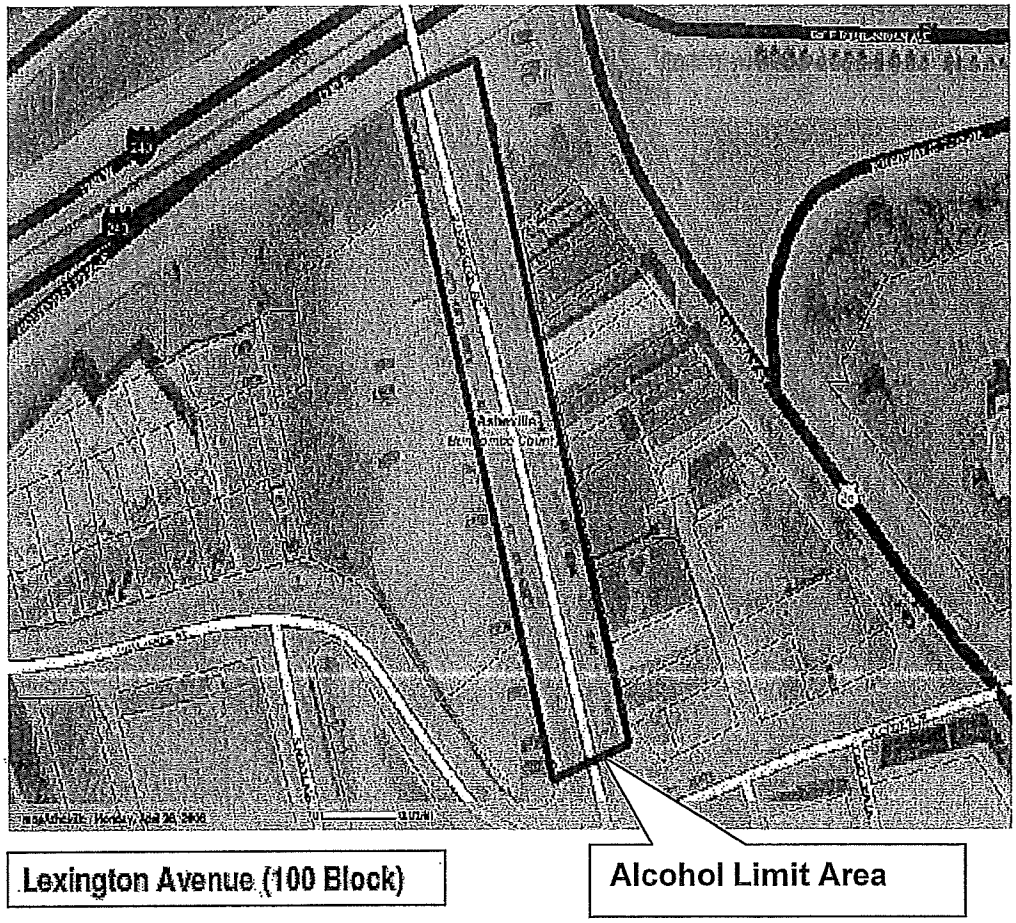
Jerry M Bellamy
Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

Just Because You're Asheville Event Site Map (2009)



183

RESOLUTION NO. 09- 178

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE MUNICIPAL AGREEMENTS BETWEEN THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE CITY OF ASHEVILLE FOR PROJECTS IDENTIFIED IN THE TRANSPORTATION IMPROVEMENT PROGRAM AS TIP NUMBERS U-5173, U-5174, U-5175, AND U-5177

WHEREAS, the City of Asheville applied to the French Broad River Metropolitan Planning Organization for transportation projects to be funded by the American Recovery and Reinvestment Act; and

WHEREAS, several of these projects were selected by the French Broad River Metropolitan Planning Organization for such funding; and

WHEREAS, the projects are identified by the following Transportation Improvement Program numbers and described as:

U-5173 Coxe Avenue Bicycle Improvements
U-5174 Asheville Downtown Streetscapes and Gateway Improvements
U-5175 Fairview Road Pedestrian Enhancements
U-5177 Bicycle Lanes on Ashland and Hilliard Avenues and MLK, Jr. Drive

WHEREAS, the North Carolina Department of Transportation will be administering the project funding for these projects; and

WHEREAS, the North Carolina Department of Transportation requires a Locally Administered Project agreement with the City of Asheville prior to releasing the funding;

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

The City Manager of the City of Asheville is hereby empowered to execute the necessary agreements with the North Carolina Department of Transportation.

Read, approved and adopted this the 11th day of August, 2009.

Magdalen Burleson
City Clerk

Terry M Bellamy
Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

RESOLUTION NO. 09-179

RESOLUTION AUTHORIZING THE CHANGE IN WATER POLICIES TO CLARIFY THE AFFORDABLE HOUSING AND INFILL DEVELOPMENT WATERLINE INCENTIVE PROGRAM

WHEREAS, pursuant to N.C.G.S. 160A-312, a city may establish and operate public enterprises, including establishing policies for the operation of said public enterprises; and

WHEREAS, the Asheville City Council has determined that the water policies should be revised to address affordable housing and infill development incentives;

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

Section 1. The Water Policies, updated by Resolution No. 07-210 on November 27, 2007, shall be amended by revising Section IV.D.12. to read:

"12. Affordable Housing and Infill Development Incentives.

a. The water fund will budget $500,000 annually to be allocated to affordable housing and infill development water line upgrade and extensions throughout the water system. Funds will be available annually on a first-come, first served basis upon project participation criteria.

b. Budget line item will be established to transfer funds annually from the water capital improvement program funds with $500,000 to be used on a first-come, first serve basis for infill development and affordable housing water line upgrades or water line extensions.

c. Single project incentive amount shall not exceed 50% of the water infrastructure costs or $100,000 (whichever is less) per project with a minimum 20-year return on investment payback. Water projects meeting affordable housing and infill development criteria in Buncombe County and Northern Henderson County are eligible to apply.

d. Funds not expended annually will be rolled over to the next Fiscal Year. Funds will be allocated to ensure $500,000 balance is maintained annually.

e. Approval will be based upon applicant receiving minimum score of 80 points per established criteria form. Application for consideration must be received in the same fiscal year that the project is completed.

f. Developers must provide the City with any necessary right-of-ways or easements.

g. Approved projects with four or fewer units that do not require water line extension may use funds to pay for water line taps and meters. These fully funded projects would not be eligible for any water fee rebates through the City of Asheville affordable housing rebate program."

Section 2. These amendments are effective on the date of adoption.

Read, approved and adopted this 11th day of August, 2009.

Magdalen Burleson
City Clerk

Jerry M Bellamy
Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk

RESOLUTION NO. 09-180

RESOLUTION REQUESTING THAT OTEEN POST OFFICE REMAIN OPEN

WHEREAS, like many businesses and governments, the U. S. Postal Service is considering various ways of reducing its costs in 2009 and future years; and

WHEREAS, the Postal Service is considering possible closure of the post office serving the Oteen and East Asheville areas of Asheville and the 28805 zip code area as a cost reducing measure; and

WHEREAS, the Oteen post office has been in existence for many years and serves a substantial portion of Asheville's population, as well as unincorporated areas of Buncombe County, and serves several governmental facilities, including the Veterans Administration Hospital;

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

1. The U. S. Postal Service is respectfully requested to keep the Oteen post office open and operating to serve the citizens of East Asheville; and

2. Copies of this resolution be transmitted to Congressman Heath Shuler and to the Postmaster for the Asheville area.

Read, approved and adopted this 11th day of August, 2009.

Magdalen Burleson
City Clerk

Mayor

Approved as to form:

City Attorney

Magdalen Burleson
City Clerk