

RESOLUTION NO. 10-115

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR THE FFY 2006-07 AND FFY 2009-10 FEDERAL TRANSIT ADMINISTRATION APPORTIONMENTS TO COVER FY 2009-10 AND FY 2010-11 EXPENSES

WHEREAS, Section 5307 authorizes Federal funding for capital and in some cases, for operating assistance, and planning activities for Transit in Urbanized areas; and

WHEREAS, The City will receive \$3,551,705 for transit operation, preventive maintenance and ADA services and miscellaneous capital items; and

WHEREAS, The City was reclassified as Urbanized Area and as part of the reclassification Henderson County Apple Transit is considered part of the same Metropolitan Area; and

WHEREAS, Henderson County will receive approximately \$799,000 for their transit system; and

WHEREAS, the City will oversight the use of funds by Henderson County as specified in the Sub-recipient agreement; and

WHEREAS, the City 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 apply for the FFY 2006-07 and FFY 2009-10 Federal Transit Administration apportionments in the amount of \$1,628,856 and \$1,922,849 respectively; and the Mayor to execute said grant.

Read, approved and adopted this the 25<sup>th</sup> of May 2010.

Magdalen Boulson  
City Clerk

Jim Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulson  
City Clerk

RESOLUTION NO. 10-116

RESOLUTION AUTHORIZING A LEASE AGREEMENT BETWEEN THE GROVE ARCADE PUBLIC MARKET FOUNDATION, INC. AND THE CITY OF ASHEVILLE FOR A DOWNTOWN ENGAGEMENT SITE FOR THE RENAISSANCE COMPUTING INSTITUTE AT UNC ASHEVILLE (RENCI)

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WHEREAS, N. C. Gen. Stat. sec. 160A-240.1 authorizes the City to acquire leases of real property for use by any department or agency of the City; and

WHEREAS, the Grove Arcade Public Market Foundation, Inc. serves as Landlord of certain property located at One Page Avenue, Suite 116, Asheville NC within the historic Grove Arcade building; and

WHEREAS, the City of Asheville has offered to enter into a two year lease agreement in order to utilize the property for the Renaissance Computing Institute at UNC Asheville (RENCI); and

WHEREAS, the total rental for the leased premises for the two year term is \$69,804.24, based on a rate of \$2,908.51 per month, and RENCi will reimburse the City in total for this rental amount ; and

WHEREAS, the stated 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 Grove Arcade Public Market Foundation, Inc. and the City of Asheville for certain real property located at One Page Avenue, Suite 116, Asheville NC. 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 25th day of May, 2010.

Magdalen Bursleson  
City Clerk

Jim Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Bursleson  
City Clerk

RESOLUTION NO. 10- 117

RESOLUTION MAKING PROVISIONS FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE MOUNTAIN SPORTS FESTIVAL AT CARRIER PARK ON THE DATES OF FRIDAY, MAY 28, 2010 FROM 4:00 PM – 10:00 PM, SATURDAY, MAY 29, 2010 FROM 10:00 AM – 10:00 PM AND SUNDAY, MAY 30, 2010 FROM 12:00 PM – 9:00 PM.

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

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

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

WHEREAS, the City Council of the City of Asheville hereby determines to make other provisions for the possession of malt beverages and/or unfortified wine at the Mountain Sports 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 Mountain Sports Festival event area, as outlined in attached site map.

The Mountain Sports Festival event area is within the boundaries of Carrier 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 Mountain Sports Festival on Friday, May 28, 2010 from 4:00 p.m. – 10:00 p.m., Saturday, May 29, 2010 from 10:00 a.m. – 10:00 p.m. and Sunday, May 30, 2010 from 12:00 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 Mountain Sports 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 Mountain Sports 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 Mountain Sports 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 25<sup>th</sup> day of May, 2010.

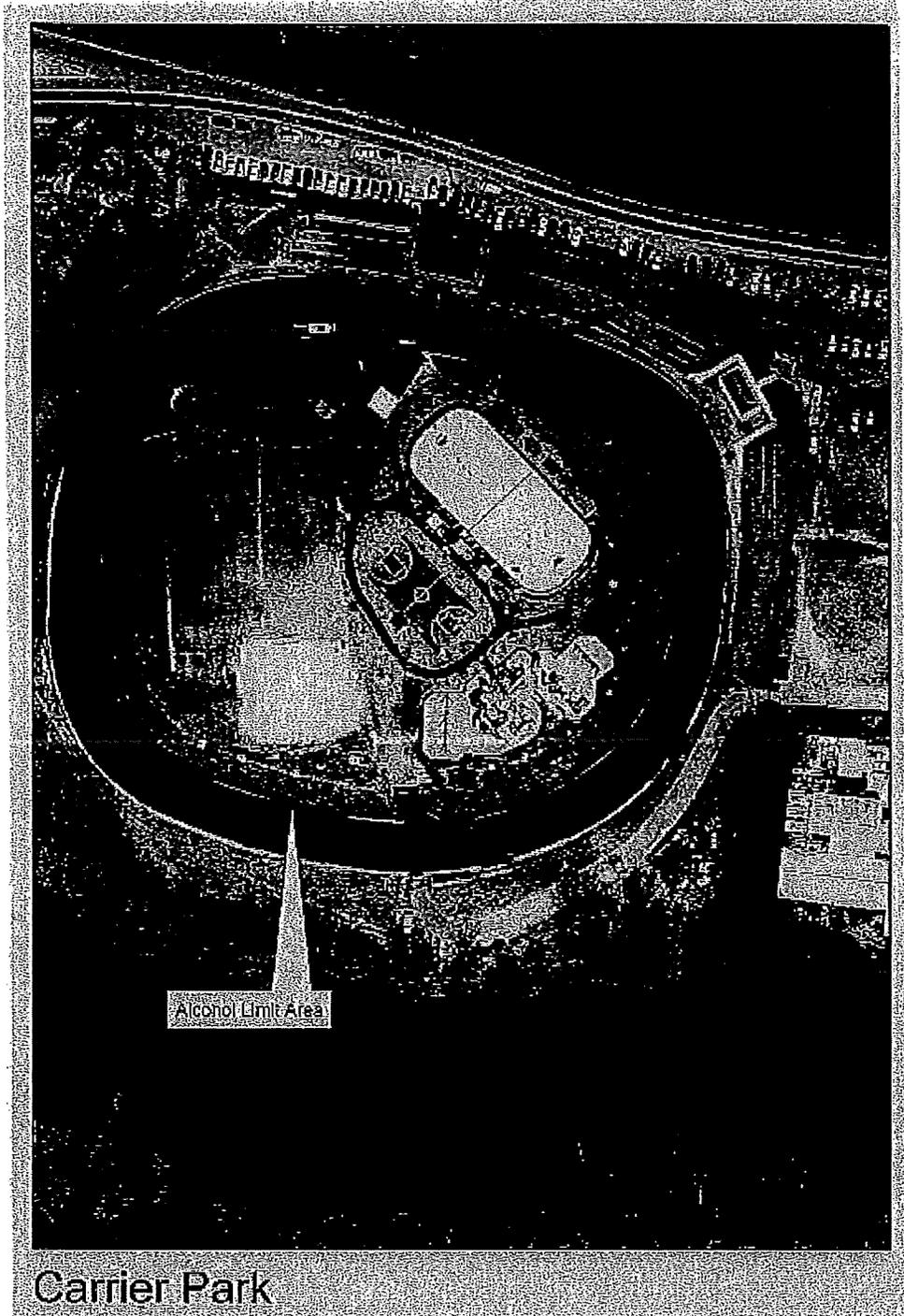
Magdalen Bureson  
City Clerk

Sam Bellanz  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Bureson  
City Clerk



Carrier Park

RESOLUTION NO. 10- 118

RESOLUTION MAKING PROVISION FOR THE POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND/OR UNFORTIFIED WINE AT THE BEER CITY BREWFEST ON THE DATE OF SATURDAY, JUNE 5, 2010 FROM 12:00 PM – 7:00 PM.

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

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

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

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

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 Beer City Brewfest event area, as outlined in attached site map.

The Beer City Brewfest event area is within the boundaries of Pack Square Park's Roger McGuire Green, Spruce Street between the intersections of South Pack Square & College Street, and within the City Hall/Courthouse Parking Lot – backstage to festival operations.

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 Beer City Brewfest on Saturday, June 5, 2010 from 12:00 PM – 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 Beer City Brewfest 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 Beer City Brewfest 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 Beer City Brewfest, 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 25<sup>th</sup> day of May, 2010.

Magdalen Burlison  
City Clerk

Jimmy Ballung  
Mayor

Approved as to form:

R. W. Deak  
City Attorney

Magdalen Burlison  
City Clerk



RESOLUTION NO. 10-119

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SCOPE OF WORK AGREEMENT BETWEEN THE CITY OF ASHEVILLE AND THE LAND OF SKY REGIONAL COUNCIL FOR THE LOCAL ENERGY ASSURANCE (LEAP) INITIATIVE GRANT TO MANAGE AND IMPLEMENT.

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WHEREAS, the City has the authority pursuant to N.C.G.S 160A-17.1 to accept and administer grants from the federal government, and to contract with other agencies for the administration of such grants; and

WHEREAS, the City of Asheville applied to the Department of Energy for to be funded by the American Recovery and Reinvestment Act; and

WHEREAS, the City of Asheville was selected by the Department of Energy for LEAP grant funding; and

WHEREAS, the City of Asheville, as designated recipient, will contract with the Land of Sky Regional Council to manage this regional planning initiative; and

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 agreement with the Land of Sky Regional Council to manage and implement the LEAP Grant on behalf of the City of Asheville.

Read, approved and adopted this the 25<sup>th</sup> day of May, 2010.

Magdalen Boulson  
City Clerk

Jim Bellamy  
Mayor

Approved as to form:

Chris Duvall  
City Attorney

Magdalen Boulson  
City Clerk

RESOLUTION NO. 10-120

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR THE TRANSPORTATION DEMAND MANAGEMENT GRANT PROGRAM AND ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION – PUBLIC TRANSPORTATION DIVISION FOR SAID PROGRAM

WHEREAS, the City desires to utilize grant funds from NCDOT for the purpose of encouraging innovative approaches in the provision of a ridesharing project as described in the project application that was properly prepared, endorsed, approved, and transmitted by the City; and

WHEREAS, the city shall undertake and complete the project as described in the approved Project Budget; and

WHEREAS, the total cost of the approved budget is \$99,979 as set forth in the Project Description.

WHEREAS, the City has authority, pursuant to N.C.G.S. §160A-17.1, to apply for and receive grants from the Federal and State governments 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:

The City Manager is hereby authorized to apply for and enter into an agreement with the North Carolina Department of Transportation for the administrative costs of the TDM Program for FY 2010-11.

Read, approved and adopted this the 25<sup>th</sup> day of May 2010.

Magdalena Bourleson  
City Clerk

Angela Bellamy  
City Manager

Approved as to form:

[Signature]  
City Attorney

Magdalena Bourleson  
City Clerk

RESOLUTION NO. 10- 121

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT REGARDING EXTENSION OF SEWER SERVICE

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WHEREAS, the City has the authority pursuant to Article 4A of Chapter 160A of North Carolina General Statutes to extend its corporate limits, and in connection therewith, to extend certain municipal services to the annexed property; and

WHEREAS, the City and Norma M. Kushigian wish to address certain issues regarding the extension of sewer service to certain property owned by her having PIN's 9643-87-5405 and 9643-87-7350 on or near Airport Road, in the event that the City annexes said property, and the City Council has determined that it is in the public interest to provide for such extension by agreement; and

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

The Mayor be, and is hereby, authorized to execute an agreement regarding the extension of sewer service to property owned by Ms. Kushigian, described above, the legality and form of said agreement to be approved by the City Attorney.

Read, approved and adopted this the 25<sup>th</sup> day of May, 2010.

Magdalen Baulson  
City Clerk

Jim Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Baulson  
City Clerk

RESOLUTION NO. 10-122

RESOLUTION AMENDING THE ANNEXATION SERVICES PLAN FOR YEAR 2010  
ANNEXATION AREAS

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WHEREAS, the Asheville City Council has, pursuant to N. C. Gen. Stat. sec. 160A-47, approved the Annexation Services Plan for the areas known as the Ingles, Schenck Parkway, Farleigh Street, Deerfield, Mountainbrook, Waters Road, Rocking Porch Road, Keasler/Sunnycrest, Upper Sondley, Tunnel Road, Willow Winds, and Airport Road areas (Resolution Numbers 10-64, 10-65, 10-66, 10-67, 10-68, 10-69, 10-70, 10-71, 10-72, 10-73, 10-74, 10-75 adopted March 9, 2010); and

WHEREAS, pursuant to N. C. Gen. Stat. sec. 160A-49(e), the City has the authority to amend the report required by N. C. Gen. Stat. sec. 160A-47; and

WHEREAS, City staff has presented to the Asheville City Council an amendment to the Annexation Services Plan in the form of revisions and corrections to the plan; and

WHEREAS, the Annexation Services Plan, amended as described herein, will continue to meet the requirements of N. C. Gen. Stat. sec. 160A-47 with respect to all of the 2010 annexation areas; and

WHEREAS, none of the amendments to the Annexation Services Plan show any of the annexation areas qualifying under additional subsections of N. C. Gen. Stat. sec. 160A-48(c) or (d) not listed in the original Annexation Services Plan;

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

Section 1. The Annexation Services Plan approved by the Asheville City Council on March 9, 2010, by Resolution Numbers 10-64, 10-65, 10-66, 10-67, 10-68, 10-69, 10-70, 10-71, 10-72, 10-73, 10-74, 10-75 be and is hereby amended as follows:

By replacing pages 2 (cover page), 21, 22, 38, 40, 41, 43, 44, 45, 47 with the attached pages of corresponding number and replacing the Airport Road Area Present and Proposed Boundaries Map and the Airport Road Area Generalized Land Use Map, the Sanitary Sewer System Map, and the Property Inventory in the Annexation Services Plan with those attached.

Section 2. The Planning and Development Director is hereby directed to cause the amendments described herein to be made to all official copies of the Annexation Services Plan, including the Plan on file in the Office of the City Clerk.

Read, approved and adopted this 25<sup>th</sup> day of May, 2010.

Magdalen Bourleson  
City Clerk

Jim Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Bourleson  
City Clerk

# **ANNEXATION SERVICES PLAN**

For the

**CITY OF ASHEVILLE,  
NORTH CAROLINA**

To Serve the Areas Known as:

**Ingles  
Schenck Parkway  
Farleigh Street  
Deerfield  
Mountainbrook  
Waters Road  
Rocking Porch Road  
Keasler/Sunnycrest  
Upper Sondley  
Tunnel Road  
Willow Winds  
Airport Road**

As Amended by the Asheville City Council  
May 25, 2010



Prepared by:  
City of Asheville  
Department of Planning and Development

## Airport Road Area

The Airport Road Area intersects the current City limits in a number of places along the north side of Airport Road and along Rockwood Road. The area is predominantly developed with commercial businesses. The area contains 117.2 acres and has an estimated population of 0.

The total area to be annexed meets the following standards:

- 1) The area is contiguous, as defined by G.S. 160A-53 (1), as of the 23<sup>rd</sup> day of February, 2010, the date upon which this annexation procedure was begun, as shown on the map included herein marked Airport Road Annexation Area Present and Proposed Boundaries Map.
- 2) The aggregate external boundary line of the area to be annexed is 34,550 feet. The portion of this boundary that coincides with the City boundary is 10,270 feet, as shown on the map included herein marked Airport Road Annexation Area Present and Proposed Boundaries Map. Therefore, 29.7% of the external boundary coincides with the City boundary, in excess of the one-eighth (12.5%) contiguity requirement of G.S. 160A-48(b)(2).
- 3) No part of the Airport Road Area is included within the boundary of another incorporated municipality.
- 4) The area to be annexed is developed for urban purposes as specified by G.S. 160A-48(c)(3) in that at least sixty (60%) percent of the total number of lots and tracts in the area at the time of annexation are used for residential, commercial, industrial, institutional, or governmental purposes, and is subdivided into lots and tracts such that at least sixty (60%) percent of the total acreage, not counting the acreage used at the time of annexation for commercial, industrial, governmental or institutional purposes, consists of lots and tracts three acres or less in size, all of which is based on tax maps, property records and field observations, (reference Property Qualifications Inventory Appendix), and is demonstrated as follows:

a. Total number of lots and tracts = 14	
Number of lots and tracts used for	
Commercial	8
Industrial	1

Total	9
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9/14 = 64.3%

- b. Total residential and vacant acreage= 11.98  
 Total residential and vacant acreage in lots and tracts ≤ 3 acres=  
 8.05

$8.05/11.98 = 67.2\%$

- 5) In addition to the area developed for urban purposes, the Airport Road Area also includes a non-urban area that is adjacent on at least 60% of its boundary to a combination of the municipal boundary and the boundary of the area developed for urban purposes, and this area does not exceed 25% of the total area to be annexed, based on tax maps, property records, and geographic information system data, (reference Property Qualifications Inventory Appendix), and is demonstrated as follows:

- a. Non-urban area #1 total perimeter = 3,731'  
 Portion that coincides with municipal boundary and area developed for urban purposes = 3,414'

$3,414'/3,731' = 91.5\%$

- b. Non-urban area #2 total perimeter = 1,249'  
 Portion that coincides with municipal boundary and area developed for urban purposes = 808'

$808'/1,249' = 64.7\%$

- c. Total area of annexation= 117.2 acres

Non-urban area #1	=	13.10 acres
<u>Non-urban area #2</u>	=	<u>2.19 acres</u>
Total non-urban area	=	15.29 acres

$15.29 / 117.2 = 13.0\%$

## **PLAN FOR EXTENSION OF SERVICES** **SEWER COLLECTION**

The residents, businesses and property owners of the City of Asheville receive sewer collection services from the Metropolitan Sewerage District of Buncombe County, (MSD). MSD is funded through sewer service revenues and serves most developed properties within the city. The City of Asheville acts as the billing and collecting agent for MSD.

### **Current Level of Service**

MSD operates an extensive collection, transportation, and treatment system serving most of the existing incorporated area. Where MSD-owned lines are in place, adjacent customers may connect provided service is accomplished in accordance with all applicable standards for sanitary sewer. Service connections are made by MSD upon the customer establishing an account with MSD, including the payment of connection fees and the applicable deposit. Service connections include labor and materials to establish a connection within the street right-of-way at or near the front property line. The customer is responsible for supplying materials and labor to extend service piping across private property to the structure receiving service.

The service is billed to the customer monthly based upon water consumption. The rate for sewer service is established annually in the fiscal budget and includes base service and typical discharge rates for customers located both within and outside the municipal limits of the city.

### **Proposed Area Service Analysis**

There are specific guidelines contained in the N.C. General Statutes for the provision of sewer lines when a municipality annexes properties. The City of Asheville has evaluated each area being considered for annexation and has determined that major sanitary sewer trunk lines and interceptors are currently in place for most of the annexation areas. In order to meet the needs for parcels determined to need service extensions in the Airport Road Annexation Area, approximately 802 linear feet of 8-inch sanitary sewer are proposed to be constructed to bring service to substantially the same level as other parts of the City.

### **Proposed Timetable for Construction of Sewer Service Extensions**

The City of Asheville will complete construction of the proposed sanitary sewer system within two (2) years of the effective date of annexation.

## FINANCING PLAN FOR ANNEXATION AREAS

### Revenue Estimates

Annexation of the proposed areas will increase revenues to the general fund of the City of Asheville by the following estimated amounts.

#### AD VALOREM PROPERTY TAX REVENUE

Total real property tax values in the areas to be annexed total \$53,476,100. At a tax rate of 42 cents per \$100 of valuation, the estimated minimum ad valorem tax revenue from the areas annually will be as follows:

<u>AREA</u>	<u>REAL PROPERTY VALUATION (1)</u>	<u>TOTAL ANNUAL REVENUE (2)</u>
Ingles	\$443,600	\$1,844
Schenck Parkway	\$0	\$0
Farleigh Street	\$0	\$0
Deerfield	\$0	\$0
Mountainbrook	\$1,642,500	\$6,830
Waters Road	\$327,800	\$1,363
Rocking Porch Road	\$10,000	\$42
Keasler/Sunnycrest	\$462,000	\$1,921
Upper Sondley	\$623,000	\$2,590
Tunnel Road	\$627,600	\$2,610
Willow Winds	\$1,839,600	\$7,649
Airport Road	\$46,496,000	\$195,283
<b>TOTAL</b>	<b>\$52,472,100</b>	<b>\$220,132</b>

- (1) The values shown for real property reflect the most recent assessed valuation data available from the Buncombe County Tax Assessor's records. Data on personal property valuation within the proposed annexation areas were unavailable.
- (2) Total annual revenue is calculated by assuming a collection rate of 99.0%.

### STATE UTILITY TAX REVENUE

The State levies the following utility taxes: a franchise tax on electricity, a sales tax on telecommunications, and an excise tax on piped natural gas. The State then shares a portion of these revenues with municipalities based on sales and consumption within each city.

<u>AREA</u>	<u>PROPERTY ACRES</u>	<u>TOTAL ANNUAL REVENUE</u>
Ingles	3.6	\$875
Schenck Parkway	0.7	\$182
Farleigh Street	0.6	\$153
Deerfield	29.3	\$7,171
Mountainbrook	4.7	\$1,146
Waters Road	0.6	\$155
Rocking Porch Road	0.0	\$4
Keasler/Sunnycrest	1.4	\$352
Upper Sondley	0.9	\$232
Tunnel Road	1.5	\$365
Willow Winds	12.1	\$2,963
Airport Road	117.2	\$28,714
<b>TOTALS</b>	<b>172.6</b>	<b>\$42,312</b>

The estimated revenue shown above was computed using acreage as a proxy variable to estimate the total utility tax revenue. Based on the 2008-09 collections for the City of Asheville of \$245 per acre, the estimate was derived.

### LOCAL OPTION SALES TAX

Sales tax revenue in Buncombe County is distributed between the County and the local municipalities based on each entity's share of the total county ad valorem tax levy. For 2008-09, the City of Asheville's annual sales tax revenue totaled \$14,959,877. Sales tax revenue therefore equaled 35.88% of the total City tax levy. Based upon this percentage, the proposed annexation areas would yield the following sales tax revenue:

<u>AREA</u>	<u>TOTAL TAX LEVY (1)</u>	<u>TOTAL ANNUAL REVENUE</u>
Ingles	\$1,863	\$668
Schenck Parkway	\$0	\$0
Farleigh Street	\$0	\$0
Deerfield	\$0	\$0
Mountainbrook	\$6,899	\$2,475
Waters Road	\$1,377	\$494
Rocking Porch Road	\$42	\$15
Keasler/Sunnycrest	\$1,940	\$696
Upper Sondley	\$2,617	\$939
Tunnel Road	\$2,636	\$946
Willow Winds	\$7,726	\$2,772
Airport Road	\$195,283	\$70,068
<b>TOTALS</b>	<b>\$220,383</b>	<b>\$79,073</b>

(1) Total tax levy is computed by multiplying real property valuation by the City's tax rate of 42 cents per \$100 of valuation.

## REVENUE SUMMARY

AREA	AD VALOREM	STATE UTILITY TAXES	SALES TAX	POWELL BILL	FEEES, CHARGES, & PERMITS	TOTAL
Ingles	\$1,844	\$875	\$668	\$91	\$0	\$3,479
Schenck Parkway	\$0	\$182	\$0	\$0	\$0	\$182
Farleigh Street	\$0	\$153	\$0	\$0	\$0	\$153
Deerfield	\$0	\$7,171	\$0	\$0	\$0	\$7,171
Mountainbrook	\$6,830	\$1,146	\$2,475	\$1,272	\$1,866	\$13,589
Waters Road	\$1,363	\$155	\$494	\$98	\$144	\$2,254
Rocking Porch Road	\$42	\$4	\$15	\$0	\$0	\$61
Keasler/Sunnycrest	\$1,921	\$352	\$696	\$98	\$144	\$3,211
Upper Sondley	\$2,590	\$232	\$939	\$39	\$57	\$3,858
Tunnel Road	\$2,610	\$365	\$946	\$167	\$0	\$4,088
Willow Winds	\$7,649	\$2,963	\$2,772	\$0	\$0	\$13,384
Airport Road	\$195,283	\$28,714	\$70,068	\$2,829	\$0	\$296,894
<b>TOTALS</b>	<b>\$220,132</b>	<b>\$42,312</b>	<b>\$79,073</b>	<b>\$4,594</b>	<b>\$2,210</b>	<b>\$348,321</b>

**Estimated Expenditures****ANNUALLY RECURRING EXPENSES**

AREA	(1) Police	(2) Fire	(3) Solid Waste	Recycling	Street Maintenance	Street Lighting	TOTAL
Ingles	\$ 0	\$ 346	\$ 0	\$ 0	\$ 0	\$ 0	\$ 346
Schenck Parkway	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Farleigh Street	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Deerfield	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Mountainbrook	\$ 0	NA	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Waters Road	\$ 0	NA	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Rocking Porch Road	\$ 0	NA	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Keasler/Sunncrest	\$ 0	NA	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Upper Sondley	\$ 0	NA	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Tunnel Road	\$ 0	\$ 690	\$ 0	\$ 0	\$ 0	\$ 0	\$ 690
Willow Winds	\$ 0	\$ 2,024	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,024
Airport Road	\$ 0	\$ 36,267	\$ 0	\$ 0	\$ 0	\$ 0	\$ 36,267
General	\$ 84,016		\$ 1,741	\$ 212			\$ 85,969
<b>TOTALS</b>	\$ 84,016	\$ 39,327	\$ 1,741	\$ 212	\$ 0	\$ 0	\$ 125,296 <sup>(4)</sup>

## Notes:

- (1) The annual costs for police services reflect two additional officers (salary and benefits) to be hired to maintain current police officer to call for service ratios.
- (2) The annual costs for fire protection are fire show financial impact payments to the rural fire districts (5 year duration). (The total cost for five years for financial impact payments to the rural fire districts is estimated to be \$196,635).
- (3) The solid waste services costs reflect the anticipated annually recurring tipping fees.
- (4) After 5 years total annually recurring expenses will be \$ 85,969.

## CAPITAL EXPENDITURES

AREA	(1) Police	(2) Fire	Water Lines	Sewer Lines	Rollout Containers	Street Repair	Side-walks	TOTAL
								\$ 138
Ingles	\$ 0	\$ 138	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Schenck Parkway	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Farleigh Street	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Deerfield	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Mountain brook	\$ 0	NA	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Waters Road	\$ 0	NA	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Rocking Porch Road	\$ 0	NA	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Keasler/Sunnycrest	\$ 0	NA	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Upper Sondley	\$ 0	NA	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Tunnel Road	\$ 0	\$ 618	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 618
Willow Winds	\$ 0	\$ 1,813	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,813
Airport Road	\$ 0	\$ 14,785	\$ 0	\$ 173,820	\$ 765	\$ 0	\$ 0	\$ 189,370
General	\$ 13,000							\$ 13,000
<b>TOTALS</b>	<b>\$ 13,000</b>	<b>\$ 17,354</b>	<b>\$ 0</b>	<b>\$ 173,820</b>	<b>\$ 765</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 204,939</b>

## Notes:

- (1) Police capital costs include equipment for new officers.  
(2) Fire costs show debt service to be paid to rural fire departments. Debt service to be paid after 5 years if debts still outstanding. Estimates are based on most recent information available from the rural departments.

## STATEMENT OF IMPACT FOR ANNEXATION AREAS

### FINANCIAL IMPACT ON SUBURBAN FIRE DEPARTMENTS

The annexation areas are now served by suburban fire departments, which serve areas classified as either a rural fire district or fire service district. The impact of each annexation is demonstrated as follows:

Area	FD	Valuation (1)	Impact (2)
Ingles	Skyland	\$ 443,600	\$ 346
Schenck Parkway	Skyland	\$ 0	\$ 0
Farleigh Street	Skyland	\$ 0	\$ 0
Deerfield	Skyland	\$ 0	\$ 0
Mountainbrook	Asheville	\$ 1,642,500	NA
Waters Road	Asheville	\$ 327,800	NA
Rocking Porch Road	Asheville	\$ 10,000	NA
Keasler/Sunnycrest	Asheville	\$ 462,000	NA
Upper Sondley	Asheville	\$ 623,000	NA
Tunnel Road	Reynolds	\$ 627,600	\$ 690
Willow Winds	Reynolds	\$ 1,839,600	\$ 2,024
Airport Road	Skyland	\$46,496,000	\$ 36,267

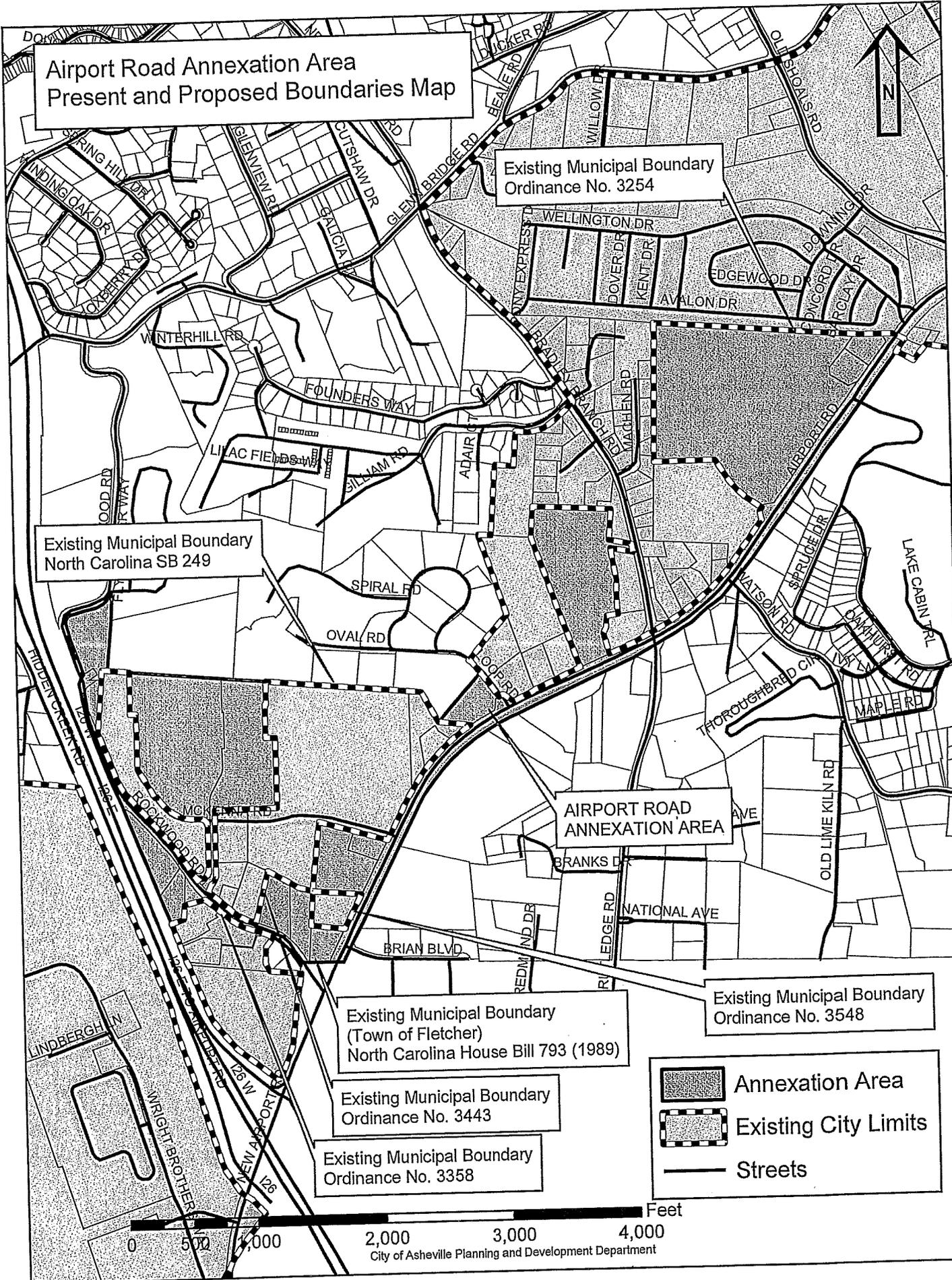
Notes:

- (1) Real property value totals. Tax exempt properties excluded.
- (2) Impact equals the potential loss in annual tax revenue to the suburban fire department as a result of annexation.

The current indebtedness for each of the affected suburban fire departments has been estimated to determine preliminary costs for reimbursement on debt service eligible per G.S. 160A-49.2 as follows:

Area	FD	Debt	Impact (1)	Share (2)
Ingles	Skyland	\$2,378,085	0.01%	\$138
Schenck Parkway	Skyland	\$2,378,085	0	\$ 0
Farleigh Street	Skyland	\$2,378,085	0	\$ 0
Deerfield	Skyland	\$2,378,085	0	\$ 0
Mountainbrook	Asheville	NA	NA	NA
Waters Road	Asheville	NA	NA	NA
Rocking Porch Road	Asheville	NA	NA	NA
Keasler/Sunnycrest	Asheville	NA	NA	NA
Upper Sondley	Asheville	NA	NA	NA
Tunnel Road	Reynolds	\$1,000,000	0.01%	\$ 618
Willow Winds	Reynolds	\$1,000,000	0.03%	\$ 1,813
Airport Road	Skyland	\$2,378,085	1.3%	\$14,785

# Airport Road Annexation Area Present and Proposed Boundaries Map



Existing Municipal Boundary  
(Town of Fletcher)  
North Carolina House Bill 793 (1989)

Existing Municipal Boundary  
Ordinance No. 3443

Existing Municipal Boundary  
Ordinance No. 3358

Existing Municipal Boundary  
Ordinance No. 3254

Existing Municipal Boundary  
North Carolina SB 249

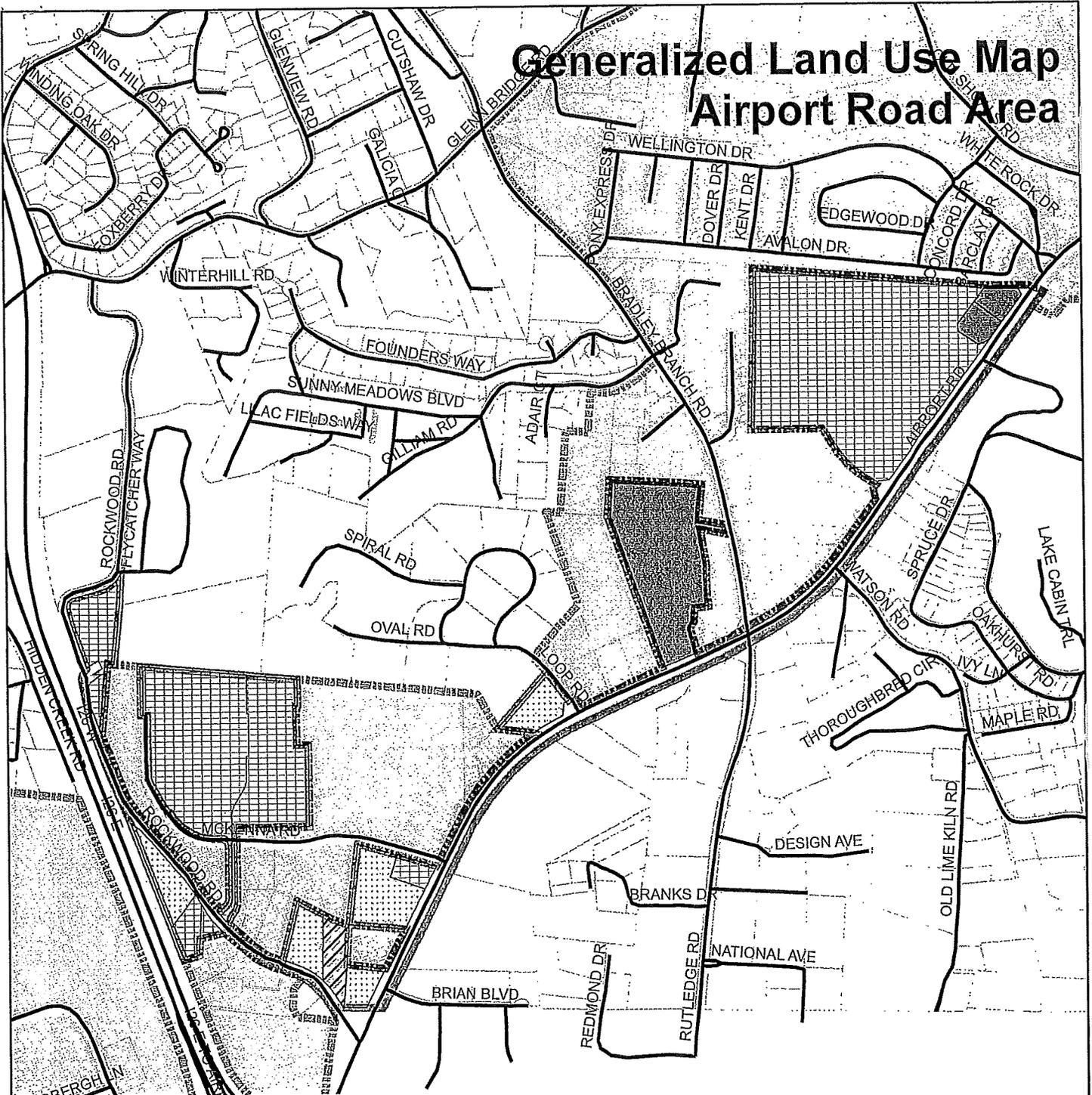
AIRPORT ROAD  
ANNEXATION AREA

Existing Municipal Boundary  
Ordinance No. 3548

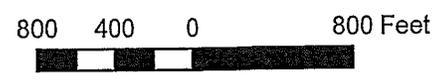
-  Annexation Area
-  Existing City Limits
-  Streets

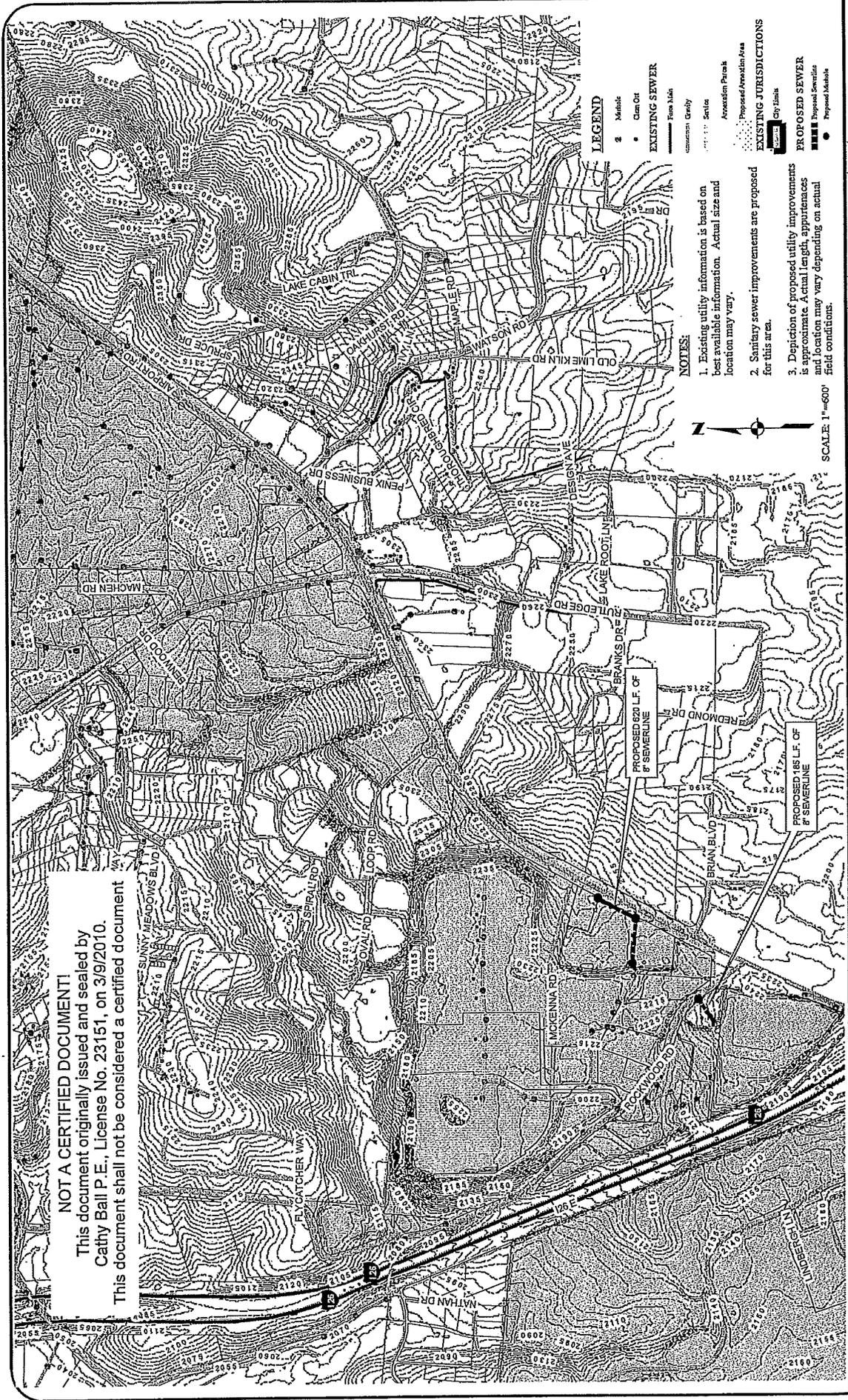
0 500 1,000 2,000 3,000 4,000 Feet  
 City of Asheville Planning and Development Department

# Generalized Land Use Map Airport Road Area



- |  |   |
|--|---|
|  Streets                  | <b>Parcel Uses</b>  |
|  Existing City Limit      |  COMMERCIAL    |
|  Annexation Area Boundary |  GOVERNMENTAL  |
|  Other Property Lines     |  INDUSTRIAL    |
|  |  INSTITUTIONAL |
|  |  NON-URBAN     |
|  |  RESIDENTIAL   |
|  |  UNDEVELOPED   |
|  |  VACANT        |





**NOT A CERTIFIED DOCUMENT!**  
 This document originally issued and sealed by  
 Cathy Ball P.E., License No. 23151, on 3/9/2010.  
 This document shall not be considered a certified document

**LEGEND**

- 2 Mainline
- 4 Clean Out

**EXISTING SEWER**

- Force Main
- Gravity
- Sanitary

**EXISTING JURISDICTIONS**

- City Limits
- Proposed Annexation Area

**NOTES**

1. Existing utility information is based on best available information. Actual size and location may vary.
2. Sanitary sewer improvements are proposed for this area.
3. Depiction of proposed utility improvements is approximate. Actual length, appurtenances and location may vary depending on actual field conditions.

SCALE: 1"=600'

<p><b>City of Asheville, NC</b>                  Engineering Services Division of                  the Public Works Department                  P.O. Box 7087 Asheville, N.C. 28802-7087</p>		<p><b>2010 ANNEXATION AREAS</b>                  AIRPORT ROAD</p>		<p><b>SANITARY SEWER</b>                  SYSTEM</p>		DATE	REVISION	BY
						DATE	REVISION	BY
<p>DRAWN BY</p>		<p>DESIGNED BY</p>		<p>CHECKED BY</p>		<p>DATE</p>	<p>SCALE</p>	<p>PROJECT NO.</p>
<p>PROJECT NO.</p>		<p>DATE</p>		<p>SCALE</p>		<p>SHEET 1 OF 1</p>		

Property Qualifications Inventory Appendix

PIN	PORTION OF PARCEL ACREAGE	PARCEL ACREAGE	ACREAGE IN AREA	LAND USE	DEVELOPED	DWELLINGS	VACANT/RES ≤ 3 ACRES	ESTABLISHMENTS
INGLES/AREA								
9644385421	YES	5.74	2.81	COMMERCIAL	YES			GROCERY STORE
9644387487		0.41		COMMERCIAL	YES			GAS STATION
SCHENCK/PARKWAY/AREA								
9644290613	YES	10.32	0.74	COMMERCIAL	YES			STORE/RESTAURANT
FARLEIGH/STREET/AREA								
9645116364	YES	4.97	0.31	COMMERCIAL	YES			OFFICE
9645118164	YES	1.78	0.32	RESIDENTIAL	YES		YES	
DEERFIELD/AREA								
9645990567	YES	109.76	29.27	INSTITUTIONAL	YES			RETIREMENT COMMUNITY
MOUNTAIN/ROOK/AREA								
9659226985		4.44		INSTITUTIONAL	YES			ASSISTED LIVING FACILITY
WATERS/ROAD/AREA								
9659412155	YES	0.51	0.08	RESIDENTIAL	YES	1 (not in area)	YES	
9659412331	YES	0.62	0.55	RESIDENTIAL	YES	1	YES	
ROCKING PORCH/ROAD/AREA								
9659417708	YES	0.07	0.01	RESIDENTIAL	YES	1	YES	
KEASLER/SUNNYCREST/AREA								
9659736935		0.45		RESIDENTIAL	YES	1	YES	
9659738920		0.91		RESIDENTIAL	YES	1	YES	
UPPER/SONDLEY/AREA								
9760019444		0.98		RESIDENTIAL	YES	1	YES	
TUNNEL/ROAD/AREA								
9678059451		1.10		COMMERCIAL	YES			AFFORDABLE DENTURES
WILLOW/WINDS/AREA								
9656576159		12.01		COMMERCIAL	YES			LODGING
AIRPORT/ROAD/AREA								
9643578410		0.66		COMMERCIAL	YES			AUTO REPAIR
9643587431	YES	32.64	3.31	COMMERCIAL	YES			OFFICE
9643654807		1.35		COMMERCIAL	YES			OFFICE/MODEL HOME
9643655970		0.32		COMMERCIAL	YES			OFFICE
9643662241		2.55		VACANT	NO		YES	
9643674075		15.68		COMMERCIAL	YES			LOWE'S
9643679035		11.70		COMMERCIAL	YES			TARGET
9643751885		2.00		VACANT	NO		YES	
9643754609		1.86		INDUSTRIAL	YES			R&D PLASTICS
9643756500		1.33		VACANT	NO		YES	
9643767154		3.93		VACANT	NO			
9643769235		0.99		COMMERCIAL	YES			PRECEPT
9643877350		2.17		VACANT	NO		YES	
9643986179		13.19		NON-URBAN	NON-URBAN			
9653190445		34.86		COMMERCIAL	YES			WALMART
9653197789		1.01		NON-URBAN	NON-URBAN			
9653199904		0.96		NON-URBAN	NON-URBAN			

RESOLUTION NO. 10-123

RESOLUTION APPOINTING A MEMBER TO THE RECREATION BOARD

WHEREAS, Mr. Scott Barnwell has resigned as a member of the Recreation Board, thus leaving an unexpired term until June 30, 2011;

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

Mr. Will Callaway, 46 Panola Street, Asheville, N.C., be and he is hereby appointed a member of the Recreation Board to fill the unexpired term of Mr. Barnwell, term to expire June 30, 2011, or until his successor has been appointed.

Read, approved and adopted this 25<sup>th</sup> day of May, 2010.

Magdalen Bursleson  
CITY CLERK

Jim Bellamy  
MAYOR

Approved as to form:

Rob O'Neil  
CITY ATTORNEY

Magdalen Bursleson  
City Clerk

RESOLUTION NO. 10- 124

RESOLUTION APPROVING SETTLEMENT WITH LARRY ROLAND FOR PERSONAL INJURY FROM ACCIDENT AT MUNICIPAL GOLF COURSE

WHEREAS, Larry Roland has filed a lawsuit against the City of Asheville for injuries sustained by him as a result of an accident that occurred at the Municipal Golf Course on January 27, 2008; and

WHEREAS, the City and Mr. Roland, through legal counsel, participated in a mediation and negotiated a settlement in the amount of \$30,000 to be paid by the Asheville Claims Corporation on behalf of the City of Asheville to Mr. Roland; and

WHEREAS, the parties also agreed that the City through Asheville Claims Corporation would be responsible for payment of the mediation fees of \$750; and

WHEREAS, pursuant to City Resolution No. 93-145, the Asheville City Council must approve settlement of claims covered by the Asheville Claims Corporation, if the amount of the settlement exceeds \$25,000.

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

A monetary settlement in the amount of \$30,000 to be paid by the Asheville Claims Corporation on behalf of the City of Asheville to Larry Roland for personal injury at the Municipal Golf Course be, and same is hereby, approved, subject to the execution of appropriate settlement documents and releases by the parties as approved by counsel for the City of Asheville;

The Asheville Claims Corporation shall also pay the mediation fees of \$750;

As required by N.C.G.S 143-318.11(a)(3), the terms of the settlement of the above-described matter are hereby made a matter of public record, and the City Clerk is directed to enter this Resolution in the official minutes of City Council; and

Nothing herein may be construed as a waiver of governmental immunity with respect to any claims against the City of Asheville.

Read, approved and adopted this 25th day of May, 2010.

Magdalen Boulson  
City Clerk

Ing M Bellamy  
Mayor

Approved as to form:

[Signature]  
City Attorney

Magdalen Boulson  
City Clerk