



ACTION AGENDA

July 24, 2012

The action agenda is intended to provide the reader with an overview of the council meeting and any decisions that were made. It does not provide action on ceremonial or non-substantive matters.

THIS ACTION AGENDA IS FOR INFORMATION ONLY. Authority to carry out actions related to any council decision should be obtained through normal departmental procedure.

Please call the City Clerk's office at 259-5601 if you have any questions.

Present: Mayor Terry M. Bellamy, Presiding; Vice-Mayor Esther E. Manheimer; Councilman Cecil Bothwell; Councilman Jan B. Davis; Councilman Marc W. Hunt; Councilman Christopher A. Pelly; Councilman Gordon D. Smith; City Manager Gary W. Jackson; City Attorney Robert W. Oast Jr.; and City Clerk Magdalen Burleson

Absent: None

ITEM AND SUMMARY

ACTION

Resolution authorizing the City Manager to extend the general services contract with Carolina Management Team for the Water Resources Water Storage Tank and Pipe Coating and Maintenance Project.

Adopted Unanimously

Resolution authorizing the City Manager to enter into an agreement with Patton Construction Group, Inc., for the Haw Creek Area and Riddle Road Waterline Replacement Project.

Adopted Unanimously

Budget amendment, in the amount of \$369,169, from savings in other capital projects that were completed under budget, for the Haw Creek Area and Riddle Road Waterline Replacement Project.

Adopted Unanimously

Resolution authorizing the City Manager to execute a change order with Brown and Caldwell for the Main Water Transmission Line Evaluation Project.

Action Postponed

Budget amendment, in the amount of \$1,702,914, from savings in other capital projects that were completed under budget, for the Main Water Line Evaluation Project.

Action Postponed

Ordinance to enact a through truck prohibition on Riverview Drive from Amboy Road to Haywood Road.

Adopted Unanimously

Resolution authorizing the City Manager to enter into a construction agreement with T&K Utilities, Inc., for the McIntosh Road Water System Improvements Project.

Adopted Unanimously

Budget amendment, in the amount of \$466,000, from savings in other capital projects that were completed under budget for the McIntosh Road Water System Improvements Project.

Adopted Unanimously

Resolution authorizing the City Manager to execute a lease agreement with Danny's Dumpster, Inc. for the purpose of installing and operating a Type III compost facility on a portion of city-owned real property at 80 Hardesty Lane, Asheville, NC.

Adopted Unanimously

Resolution making provisions for the possession and consumption of malt beverages and/or unfortified wine the following events:

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| 1. | RiverFest 2012 on August 11, 2012 | Adopted Unanimously |
| 2. | Dog Day Afternoon on August 18, 2012 | Adopted Unanimously |
| 3. | Goombay Festival on August 24, 25 & 26, 2012 | Adopted Unanimously |
| 4. | Lexington Avenue Arts & Fun Festival on September 1 & 2, 2012 | Adopted Unanimously |
| 5. | Symphony in the Park on September 3, 2012 | Adopted Unanimously |
| 6. | Chamber After Hours on September 6, 2012 | Adopted Unanimously |
| 7. | Organicfest on September 8, 2012 | Adopted Unanimously |
| 8. | Asheville Citizen-Times Half Marathon & 5K on September 15, 2012 | Adopted Unanimously |
| 9. | West Asheville Soapbox Derby on September 29, 2012 | Action Postponed |

Resolution to designate the Police of Chief as the ABC Board Authorized Official to make recommendations concerning the suitability of persons or locations for ABC permits.	Adopted Unanimously
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Resolution amending a Housing Trust Fund loan to Mountain Housing Opportunities for the apartments at the Glen Rock Hotel	Adopted Unanimously.
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Resolution for the City to act as the lead agency and fiscal agent for the 2011 and 2012 Emergency Solutions Grant.	Adopted Unanimously
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Resolution authorizing the City Manager to enter into an agreement with the Housing Authority of the City of Asheville to fund and create a Public Housing Police Unit.	Action Postponed
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Resolution setting a public hearing on August 14, 2012, to consider an economic development incentive grant for Linamar Corporation.	Adopted Unanimously
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Resolution authorizing the City Manager to execute a unit price contract and all change orders with Saddlebrook Construction, Inc. for the project known as Wild Cherry Road Bridge Construction Project.	Adopted Unanimously
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Resolution authorizing the purchase of real property on Curve Street.	Adopted Unanimously
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Resolution accepting Sonnet Lane as a city-maintained street.	Adopted Unanimously
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Budget amendment, in the amount of \$56,250, from federal grant funding and Transit Capital Reserves, to purchase two vehicles to support operation of the transit system.	Adopted Unanimously
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Budget amendment, in the amount of \$225,000, from state grant funds to increase the original budget for the purchase of an Automated Vehicle Location system for the transit system.	Adopted Unanimously
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Budget amendment to budget: 1) the \$10,600,000 refunding component of the 51 Biltmore Parking Facility in the Parking Services Fund; 2) the \$10,506,000 refunding of the 1997A and 1997C Certificates and the 2006 Contract in the General Fund; and 3) the \$398,000 in execution and delivery costs of the 2012 Bonds in various funds.	Adopted Unanimously
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Budget amendment to move the \$56,524 budget for the water department's CNG vehicle purchases from the General Capital Projects Fund to the Water Capital Projects Fund; and combine two previously approved project budgets for the Lake Craig (Azalea Road) Flood Management Project into one single project with a total budget of \$4,163,239 funded by Senate Bill 7 and Sullivan Act proceeds.	Adopted Unanimously
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Budget amendment, in the amount of \$1,711,071.00 to balance revenues and expenditures in 6 of the 2008 Water Revenue Bond Projects in order to close and inactivate the projects.	Adopted Unanimously
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Report on the Forensic Inventory of the Asheville Police Department Evidence Room	Heard Report and Consensus to Write a Letter Requesting that the District Attorney's recommendations based on the info
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received from Blueline
re: future management
practices for the
evidence room

Review of Land Use Incentive Policy

Heard Report

Public hearing to consider conditional zoning of Hunter Apartments, located at 25 & 27 Washington Road from RM-8 Residential Multi-Family Medium Density District to RM-16 Residential Multi-Family High Density District/Conditional Zoning, to allow for the remodel of two existing residential structures into two duplex structures for a total of four apartments, and a request for a modification to the side setback on the southern property boundary.

Motion failed 5-2 w/
Davis & Manheimer
voting "no"

Public hearing to consider a conditional zoning request for White Oak Grove Apartments, located at 275 and 281 Hazel Mill Road, from RM-8 Residential Multi-Family Medium Density District to RM-16 Residential Multi-Family High Density District/Conditional Zoning for the development of 92 apartment units housed in three buildings. **– The applicant has requested this item be tabled indefinitely.**

Adopted Unanimously
Motion to Table
Indefinitely

Consideration of an ordinance amending the current skateboard ordinance to permit skateboarding on designated City-maintained roadways and crosswalks in the downtown Central Business District.

Motion failed 3-4 w/
Bellamy; Davis; Hunt &
Manheimer voting "no"

Confirmation of Planning & Zoning Commission candidate questions.

Confirmed

Resolution to reallocate Fair Housing Assistance Program Funds to the Asheville-Buncombe Community Relations Council to perform fair housing marketing, training and outreach.

Adopted Unanimously

Discussion of House Bill 1009 (MSD/Water System) – Possible Veto

Motion Adopted Unanimously to Re-Affirm Council's Opposition to Any Attempt by the State Legislature to Strip Asheville and its Citizens of Its Water System; and
Motion Adopted Unanimously to Urge the Governor to Veto House Bill 1009