

Tuesday – March 7, 2006 – 8:15 a.m.

Police Training Room – 3rd Floor

Municipal Building

Special Meeting

Present: Mayor Terry M. Bellamy, Presiding; Councilwoman Robin L. Cape; Councilman Jan B. Davis; Councilman Bryan E. Freeborn; Councilman R. Carl Mumpower; City Manager Gary W. Jackson; City Attorney Robert W. Oast Jr.; and City Clerk Magdalen Burleson

Absent: Vice-Mayor Diana Hollis Jones and Councilman Brownie W. Newman

Mayor Bellamy announced that this special meeting is being held to consider a resolution of consideration identifying areas with potential for future annexation

RESOLUTION NO. 06-52 – RESOLUTION IDENTIFYING THE AREA DESCRIBED HEREIN AS BEING UNDER CONSIDERATION FOR ANNEXATION

Urban Planner Julia Cogburn said that this is the consideration of a resolution of consideration identifying areas with potential for future annexation.

State law provides that a Resolution of Consideration may be adopted by cities as a preliminary step in the annexation process. The Resolution of Consideration serves the purpose of providing citizens with advance notice that certain areas in proximity to the City may, within the reasonably near future be subject to annexation. After being in effect for at least one (1) year, the Resolution of Consideration also has the benefit of reducing the time period required between adoption of any annexation ordinance and the effective date of that ordinance from a minimum of one (1) year to a minimum of seventy (70) days. Each Resolution of Consideration is effective for two (2) years. The initial City of Asheville Resolution of Consideration was adopted on April 9, 2002, and a revised map adopted by Council on March 9, 2004. It is now time to consider the next resolution.

The map staff has prepared to accompany this resolution utilizes the same perimeter boundaries as were approved by Council in 2004, minus any areas that have been annexed by the City of Asheville or another jurisdiction since that time. In 2004, as well as today, these are areas with the potential for urbanization, such as the areas along major thoroughfares, areas within the City's extraterritorial jurisdiction, areas with existing infrastructure or areas where utility extensions are feasible and other areas with potential for urban development.

The map includes many areas that may not experience urban development in the near future, because the boundaries are drawn to be expansive enough so that any possible near term (1-5 years) annexation areas will be within the boundaries.

Pros:

- .. Gives residents and property owners within the area advance notice of possible annexation.
- .. Allows the time period between passage of an annexation ordinance and the effective annexation date to be shortened to a minimum of seventy (70) days.
- .. The City can (and will) conduct smaller, incremental annexations within the area.

Cons:

- .. The possibility of annexing some parts of the area may not be realized for a number of years.

City staff recommends that the Resolution of Consideration be adopted.

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Upon inquiry of Mayor Bellamy, Ms. Cogburn said that the map can be viewed in the City Clerk's Office, in the Planning Department and the internet.

In response to Councilman Davis, Ms. Cogburn said that even though the map is the same as two years ago, staff did not see any other urbanized areas that should be included.

Mr. Tim Peck questioned Council if they favored the incorporation of Leicester. City Attorney Oast said that under the statutes if Leicester does pursue incorporation, then at that time City Council will have the opportunity to take a position on it.

At the request of Councilwoman Cape, Ms. Cogburn said that she would provide Council with more information regarding the area of Biltmore Forest and the Biltmore Estate.

Mayor Bellamy said that members of Council have been previously furnished with a copy of the resolution and it would not be read.

Councilman Davis moved for the adoption of Resolution No. 06-52. This motion was seconded by Councilman Freeborn and carried on a 4-1 vote, with Councilman Mumpower voting "no."

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ADJOURNMENT

Mayor Bellamy adjourned the meeting at 8:30 a.m.

CITY CLERK

MAYOR