

Tuesday - January 15, 1985 - 4:00 p.m.

Regular Meeting

Present: Mayor Larry McDevitt, Presiding; Vice-Mayor Wilhelmina Bratton; Councilmen Mary Lloyd Frank, Norma T. Price, Gordon Myers, Walter R. Boland, and Louis Bisette; Corporation Counsel William F. Slawter; City Manager, Neal Creighton; William F. Wolcott, Jr., Associate City Manager/City Clerk

Absent: None

INVOCATION

The invocation was given by Mayor Larry McDevitt.

APPROVAL OF THE MINUTES

1. Approval of the minutes of the January 8, 1985 meeting.

Mayor McDevitt announced the approval of the minutes of the January 8, 1985, meeting as submitted.

PROCLAMATION - WEEK OF JANUARY 21, 1985 - "INDUSTRY APPRECIATION WEEK"

Mayor McDevitt read a proclamation proclaiming the week of January 21, 1985, as "Industry Appreciation Week".

PUBLIC HEARING - REZONING PROPERTY LOCATED AT 666 MERRIMON AVENUE -DR. PAUL MICHALOVE

ORDINANCE NO. 1493 - AN ORDINANCE AMENDING ORDINANCE NO. 322, KNOWN AS "AN ORDINANCE PROVIDING FOR THE ZONING OF THE CITY OF ASHEVILLE, AS AMENDED" - PROPERTY LOCATED AT 666 MERRIMON AVENUE (DR. PAUL MICHALOVE PETITION)

2. A public hearing was held relative to rezoning property located at 666 Merrimon Avenue, Ward 9, Sheet 8, Lots 7-3/4 from R-3 Residential District to CH Commercial Highway District (requested for Dr. Paul Michalove by Ridgley Robinson, Agent).

Mayor McDevitt said the Asheville Planning and Zoning Commission at a meeting held December 5, 1984, considered the request of Dr. Paul Michalove by Ridgley Robinson, Agent, that Ward 9, Sheet 8, Lot 7-3/4 be rezoned from R-3 Residential District to CH Commercial Highway District. The property is located at 666 Merrimon Avenue. After review and discussion, the Commission voted to recommend to City Council that Ward 9, Sheet 8, Lot 7-3/4 be rezoned from R-3 Residential District to CH Commercial Highway District.

Mayor McDevitt opened the public hearing at 4:16 p.m.

The City Clerk presented the notice to the public, setting the time and date for the public hearing and the affidavit of publication.

Verl Emrick, Director of Planning, said the proposed use for the property would be parking for an existing business. He said no opposition

had been received from property owners in the area. He said, however, concerns were voiced that a sidewalk was needed in this particular area.

Dr. Paul Michalove, petitioner, spoke in support of the rezoning. By a use of a

map, Dr. Michalove showed members of Council the property requested to be rezoned.

After discussion, Mayor McDevitt noted that the City Manager would be looking into the feasibility of installing a sidewalk in this area. He requested that the City Manager obtain cost figures for installing the sidewalks. He said Council would be in contact with the property owners in the area relative to the sidewalk installation.

Mr. Ridgley Robinson, Agent for the petitioner, spoke in support of the rezoning, stating that in his opinion, the only logical use of the property would be commercial. He said the property owners in the immediate area are in favor of the rezoning.

After discussion, Mayor McDevitt closed the public hearing at 4:31 p.m.

Mayor McDevitt said members of Council were furnished copies of the ordinance and it would not be read in its entirety.

Vice-Mayor Bratton moved for the adoption of Ordinance No. 1493. This motion was seconded by Councilman Bisette.

On a roll call vote of 7-0, Ordinance No. 1493 passed on first reading.

ORDINANCE NO. 1491 - AN ORDINANCE DIRECTING THE DIRECTOR OF INSPECTIONS TO DEMOLISH AND REMOVE THE DWELLINGS KNOWN AS 48 AND 53 BLALOCK AVENUE, ASHEVILLE, NORTH CAROLINA

3. Consideration was given to the second reading of Ordinance No. 1491, an ordinance directing the Director of Inspections to demolish and remove the dwellings known as 48 and 53 Blalock Avenue, Asheville, North Carolina.

Mayor McDevitt said this ordinance was previously read on first reading and would not be reread in its entirety unless there was a specific request to do so.

On a roll call vote of 7-0, Ordinance No. 1491 passed on second reading.

RESOLUTION NO. 84-3 - RESOLUTION ESTABLISHING A RENTAL REHABILITATION DEFERRED PAYMENT LOAN PROGRAM

4. Consideration was given to a resolution establishing a Rental Rehabilitation Deferred Payment Loan Program.

Mayor McDevitt said the City desires to create a Deferred Payment Loan Program to serve as an incentive to investor owners to participate in the Rental Rehabilitation Program by eliminating the "gap" between the debt service, property management expenses, and fair market rents. The Deferred Payment Loan Program will be in keeping with rules and regulations of the

Department of Housing and Urban Development and will be secured by Deeds of Trust to insure the compliance of the program participants with the objectives of the program. This resolution will create the program using Rental Rehabilitation Program Grant funds and other rehabilitation loan funds as available from the existing loan pool to participate in the Department of Housing and Urban Development Rental Rehabilitation Program as provided for in the Housing and Urban-Rural Recovery Act of 1983. The resolution will also authorize the Mayor to execute on behalf of the City of Asheville the necessary Memorandum of Understanding by and between the City of Asheville and the Housing Authority concerning the Rental Rehabilitation Program. Funding already

available through the existing Community Development rehabilitation loan pool project.

Mayor McDevitt said members of Council were furnished copies of the resolution and it would not be read in its entirety.

Upon motion of Councilman Frank, seconded by Councilman Price, Resolution No. 84-3 was unanimously adopted.

Complete text of Resolution No. 84-3 will be found in Resolution Book No. 15 at page 131-132.

RESOLUTION NO. 84-4 - RESOLUTION APPOINTING MEMBER TO THE ASHEVILLE/BUNCOMBE WATER AUTHORITY (RALPH D. MORRIS, JR.)

5. Consideration was given to a resolution reappointing Mr. Ralph D. Morris, Jr. as a member of the Asheville/Buncombe Water Authority.

Mayor McDevitt said members of Council were furnished copies of the resolution and it would not be read in its entirety.

Upon motion of Councilman Bisette, seconded by Councilman Frank, Resolution No. 84-4 was unanimously adopted.

Complete text of Resolution No. 84-4 will be found in Resolution Book No. 15 at page 133.

RESOLUTION NO. 84-5 - RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BY AND BETWEEN KEITH E. HARWOOD AND WIFE, DEBORAH JOAN HARWOOD, OWNERS OF 37 EAST CHESTNUT STREET, ASHEVILLE, NORTH CAROLINA, AND THE CITY OF ASHEVILLE

6. Consideration was given to a resolution authorizing the Mayor to enter into an agreement by and between Keith E. Harwood and wife, Deborah Joan Harwood, owners of 37 East Chestnut Street, Asheville, North Carolina, and the City of Asheville.

Lem Moore, Director of Inspections, said on December 11, 1984, the Asheville City Council passed Ordinance No. 1486, which ordered the Director of Inspections to demolish and remove the apartment house known as 37 E. Chestnut Street. He said on January 14, 1985, Keith E. Harwood and wife Deborah Joan Harwood purchased the property located at 37 E. Chestnut Street and are now the record owners of the property as reflected in a recorded deed in the Register of Deeds office for the County of Buncombe. He said Mr. Harwood desires and intends to complete any and all rehabilitation work necessary for the issuance of a Certificate of Occupancy under the Housing Code of the City of Asheville. He said Mr. Harwood has agreed to enter into

an agreement with the City of Asheville to rehabilitate the apartment house located at 37 E. Chestnut Street. He said the agreement will provide that on or before the 15th day of April, 1985, Mr. Harwood will cause the apartment house to be brought into compliance with the North Carolina State Building Code and the Minimum Housing Code of the City of Asheville.

Mr. Barnes, Attorney, spoke in support of the adoption of the resolution.

Mayor McDevitt was excused from the meeting and Vice-Mayor Bratton presided.

Vice-Mayor Bratton read the resolution.

Upon motion of Councilman Boland, seconded by Councilman Price, Resolution No. 85-5 was unanimously adopted.

Complete text of Resolution No. 85-5 will be found in Resolution Book No. 15 at Page 134.

CLAIMS - MARGARET HOLDER (WATER) - ELIZABETH BALLARD (WATER) - DONNA THOMAS (SANITATION) - SOUTHERN BELL (WATER) - NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (WATER)

The City Manager presented claims received from Margaret Holder (Water) - Elizabeth Ballard (Water) - Donna Thomas (Sanitation) - Southern Bell (Water) and the North Carolina Department of Transportation (Water).

Vice-Mayor Bratton referred the claims to the Corporation Counsel for investigation and recommendation.

ANNOUNCEMENT OF RETIREMENT OF WILLIAM "BILL" DeBRUHL - DIRECTOR OF WATER AND SEWER SERVICES

The City Manager announced the retirement of William "Bill" DeBruhl, Director of Water and Sewer Services effective February 28, 1985.

REQUEST FOR REPORT - CITY HALL SNACK SHOP BIDS

Vice-Mayor Bratton requested that the City Manager give members of Council a full briefing, next week, on the procedure for obtaining vendors for the City Hall Snack Shop. She said she had received a number of telephone calls relative to this procedure.

REQUEST FOR REPORT - OPENING OF WALKWAY THROUGH THE ASHEVILLE/BUNCOMBE LIBRARY TO HAYWOOD STREET FROM PARKING GARAGE

Councilman Price requested that the City Manager look into the possibility of the Asheville/Buncombe Library hallway being opened from the Parking Garage to Haywood Street during Civic Center events. She also requested that a report be given to Council when this action is taken.

ADJOURNMENT

Councilman Boland moved to adjourn the meeting at 5:00 p.m. This motion was seconded by Councilman Bisette and carried unanimously.

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MAYOR CITY CLERK

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