18, 1985 o44-o81 4:00 p.m.oBBo65o44??Regular Meetingo65o44??o45o44 o1408Present: Mayor Louis Bissette, Presiding; Viceo44-o81Mayor Mary Lloyd?Frank; Councilmen Norma T. Price, Walter Boland, George Tisdale and Kenneth?Michalove; Corporation Counsel William F. Slawter; Acting City Manager?William F. Wolcott, Jr., Deputy City Clerk Carol Hensleyo65044??045044 01408Absent: Councilman Wilhelmina Brattono65044?? oE2oE3oE3INVOCATIONoE0oE1o65o44??o45o44 o1408The invocation was given by oFBCouncilman Walter Boland.o65o44??oE2oE3oE3APPROVAL OF THE MINUTES o44-o81 FEBRUARY 11, 1986 MEETINGoE0oE1o65o44??o45o44 o14081. Consideration was given to the approval of the minutes of the?February 11, 1986 meeting.o65o44??o45o44 o1408Mayor Bissette announced the approval of the minutes as submitted?with the correction of a typographical error.o65o44??oE3oE3oE2PROCLAMATION o44-o80 FEBRUARY 16o44-o8122, 1986 o44-o81 "GEORGE WASHINGTON WEEK" o65o44??o45o44 o1408oE0oE12. Mayor Bissette read a proclamation proclaiming February 16044-08122,?1986 as "George Washington Week." o65044?? oE3oE3oE2PROCLAMATION o44-o81 FEBRUARY 18, 1986 o44-o81 "SAVE THE MOUNTAINS DAY" oE0oE1o65o44??o45o44 o14082a. Mayor Bissette read a proclamation proclaiming February 18,?1986 as "Save the Mountains Day" in connection with the Department of?Energy's proposal to locate a nuclear waste storage site in Western North?Carolina.o65o44??o45o44 o1408Mayor Bissette presented the proclamation to Dr. James Laird.o65o44??oE2PUBLIC HEARING o44-o81 PROPOSALS FOR THE TRANSPORTATION OF WHEELCHAIRED?0E30E30E20E2INDIVIDUALS AND SEMI044-081AMBULATORY PERSONS BY PRIVATE AGENCY oE0oE1o65o44??o45o44 o14083. A public hearing was held to consider proposals for the?transportation of wheelo44-o81chaired individuals and semio44-o81ambulatory persons by a?private agency.o65o44??o45o44 o1408Mayor Bissette said the City of Asheville receives UMTA?transportation funds. Federal regulations provide that a portion of these?funds be used for the transportation of wheelo44-o81chaired and semio44-o81ambulatory?persons. UMTA regulations require that a public hearing be held relative to?proposals received for providing this service. He said the contract funds?will be drawn from UMTA funds received through operating assistance. The?amount will be 3044-0811/2% of the operating funds for each fiscal year.065044??045044 01408Mayor Bissette opened the public hearing at 4:10 p.m.o65o44??o45o44 o1408The Deputy City Clerk presented the notice to the public setting?o44Lthe time and date for the public hearing and the

affidavit of publication.o65044??045044 01408Carl Owenby, with the Asheville Transit Authority, said the Federal? Government allows 3.5 percent of Urban Mass Transportation Act funds to be?used for transporation of wheelo44o81chaired individuals and semio44-o81ambulatory?persons. He said one proposal had been received from the American Red Cross?to furnish this service on an annual basis. He said since only one proposal?had been received, a contract would be drawn up and brought back to Council? for their consideration at a later date.o65044??045044 o1408Barry Master, Attorney for the Pisgah Legal Services, read the?following prepared statemento9B:o65o44?? oC5o44 o1408oBDo1403oE2REMARKS TO ASHEVILLE CITY COUNCIL ON TRANSPORTATION PROPOSAL?o1409oBDo1416FROM AMERICAN RED CROSS?o1409?o1409oE0oBDo1419February 18, 1986? o1409?o1409My name is Barry Master. I am an attorney and am the executive?o1409director of Pisgah Legal Services. I wish to speak in favor of the?o1409proposal from the American Red Cross.o65o44?o1409?o1409Pisgah Legal Services has been retained by an elderly,?o1409semio44-o81ambulatory resident of the City of Asheville to protect her?o1409legal rights to have access to public transportation. She is?o1409unable to use the City bus system due to the high steps at the bus?01409entrance. We have put her in touch with the American Red Cross,?01409and they have provided her with transportation to medical?01409appointments. There have been times, however, when she has called?o1409the Red Cross one to one and a half weeks in advance of her medical?o1409appointment, only to find that the Red Cross is booked and she?o1409cannot get a ride to her appointment. There is no other agency in? o1409town that we or the Red Cross have been able to refer her to, on?o1409these occasions, which would be able to

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get her to her medical?01409appointments.o65044?01409?01409If the Red Cross had the additional funding that this proposal?01409would provide, they would be able to purchase additional vehicles?01409which could provide transportation to medical appointments for my?01409client and at least 1,700 others who have been provided? 01409transportation in Asheville in the past year from the Red Cross.o65044?01409?01409Under the law, the City of Asheville, as a recipient of funds from?01409the federal government under the Urban Mass Transportation Act, has? 01409a legal obligation towards my client and other handicapped and?01409semio44-o81ambulatory persons who are similarly situated. Her?01409transportation is the City's responsibility. It is Federal law?01409that elderly and handicapped persons have the same right as?01409everyone else to utilize mass transportation facilities and? 01409services. The law requires that special efforts be made in the?01409planning and design of mass transportation facilities and services?01409so that the availability to elderly and handicapped persons, of?01409mass transportation which they can effectively utilize, will be?01409assured.o65044?01409?01409Furthermore, it is federal law that no otherwise qualified?01409handicapped individual shall, solely by reason of his or her?044L01409handicap, be excluded from the participation in, be denied the?01409benefits of, or be

subjected to discrimination under any program or?o1409activity receiving federal financial assistance. The courts have?o1409repeatedly held that this law requires, at the very least, "modest,?o1409affirmative steps" to accommodate the handicapped in public?o1409transportation. The regulations refer to the term "special?o1409efforts," and indicate that one way to meet those special efforts?01409is to provide a oE3minimumoE1 of 3.5% of the federal financial assistance?o1409under UMTA to a program for wheelchair users and semio44-o81ambulatory?o1409handicapped persons.o65044?01409?01409In my opinion, the funding that will be provided in this proposal?01409is overdue, but it is certainly better for it to arrive late 044-081044-081?01409than never 044-081044-081 for my client and others similarly situated. As this?o1409funding is overdue, I request that you give consideration to?o1409providing additional funding for this program, and that there be?o1409expenditures above and beyond the 3.5% that would include?o1409advertising, publicity and outreach for persons, like my client,?o1409who may have given up hope that they could find access to?01409transportation within the City of Asheville.065044?01409?01409I would remind the City Council that the 3.5% figure is described?o1409as a "minimum," and I would urge that the City seek to reach more?o1409persons with this proposal than are already in touch with either?o1409the American Red Cross or Pisgah Legal Services.o65o44?o1409?o1409Thank you.oF5o44??o45o44 o1408Mayor Bissette closed the public hearing at 4:16 p.m.o65o44??oE3oE3oE2PUBLIC HEARING o44-o81 REZONING PROPERTY LOCATED ON NEW LEICESTER HIGHWAY 0E00E1065044??0E2ORDINANCE NO. 1572 044-081 AN ORDINANCE AMENDING ORDINANCE NO. 322, KNOWN AS "AN?ORDINANCE PROVIDING FOR THE ZONING OF THE CITY OF ASHEVILLE," AS AMENDED 044-080?0E30E3PROPERTY LOCATED ON LEICESTER HIGHWAY (MR. WAYNE HAWKINS PETITION) oE0oE1o65o44??o45o44 o14084. A public hearing was held relative to rezoning property located?on New Leicester Highway.o65044??045044 01408Mayor Bissette said the Asheville Planning and Zoning Commission at?a meeting held January 8, 1986, considered the petition of Mr. Wayne Hawkins?that portions of Lots 35 and 41, Sheet 36, Ward 12, and Lot 323, Sheet 20,?Ward 6, be rezoned from Ro44-o813 Residential District to CS Commercial Service? District. The property is located on the New Leicester Highway. After? review and discussion, the Commission voted to recommend to City Council?that Lot 323, Sheet 20, Ward 5, be rezoned from Ro44-o813 Residential District to?CS Commercial Service District. Staff advised the Commission that Lots 35? and 41, Sheet 36, Ward 12 were already zoned Commercial Service in their?entirety.o65044??o45044 o1408Mayor Bissette opened the public hearing at 4:17 p.m.o65o44??o45o44 o1408The Deputy City Clerk presented the notice to the public setting? the time and date for the public hearing and the affidavit of publication. o65044?? 045044 01408 Verl Emrick, Director of Planning, said the Planning and Zoning?Commission had reviewed the requested rezoning and recommended approval. He?o44Lsaid this property ties in with property already zoned Commercial

Service. ?He said adjacent property owners had been notified of the requested rezoning?and no one had opposed the rezoning. He said the proposed use of the?property would be for a mini warehouse project.o65o44??o45o44 o1408Kenneth Pankow, with Pankow Engineering Company, said he represents?Public Storage, Inc. who has a contract on the property at the present time, ?and spoke in favor of the rezoning.o65o44??o45o44 o1408Mayor Bissette closed the public hearing at 4:20 p.m.o65o44??o45o44 o1408Mayor Bissette said members of Council were previously furnished?copies of the ordinance and it would not be read in its entirety unless?there was a specific request to do so.o65o44??o45o44 o1408Councilman Boland moved for the adoption of Ordinance No. 1572. ?The motion was seconded by Councilman Tisdale.o65o44??o45o44 o1408On a roll call vote of 6o44-o810, Ordinance No. 1572 passed on oFBfirst?reading.o65o44??oE2PUBLIC HEARING o44-o81 SITE PLAN OF CROWNPOINTE

MOBILE HOME PARK 044-081 NORTH LOUISIANA?0E30E3AVENUE 0E00E1065044??045044 014085. A public hearing was held relative to a site plan of?Crownpointe Mobile Home Park, to be located on North Louisiana Avenue.o65044??045044 01408Mayor Bissette said the Asheville Planning and Zoning Commission at?a meeting held January 8, 1986, reviewed the site plan of Crownpointe Mobile? Home Park to be located on North Louisiana Avenue. The site plan was?prepared by Ray Anders, R.L.S., for Mr. Allen Moss, Developer, and submitted?in accordance with the Group Development Section of the Asheville Zoning?Ordinance. After review and discussion, the Commission voted to recommend?approval of the site plan to City Council subject to: 1) deletion of Lot #1?and provision of appropriate landscaping; 2) deletion of Lot #30 and?redesign of Lot #31; 3) that a planted buffer and a solid barrier of chain?link fence 6' high and slatted be provided on the western boundary as shown?at the entrance and lot lines on Lots #30 and #31; 4) redrawing of the plat?to include the "common area" and access from this mobile home park prior to?going to City Council; and 5) compliance with Erosion Control Ordinance.o65o44??o45o44 o1408Mayor Bissette opened the public hearing at 4:22 p.m.o65o44??o45o44 o1408The Deputy City Clerk presented the notice to the public setting?the time and date for the public hearing and the affidavit of publication.o65044??045044 01408Verl Emrick, Director of Planning, said the Planning and Zoning?Commission had reviewed the site plan and had recommended approval subject?to several conditions which have been met. He said the project complied?with all requirements of the Zoning Ordinance and is being constructed at?density level requirements for a mobile home park.o65044??o45044 o1408Upon inquiry of Councilman Price, Mr. Emrick said the project, even?though outside the City limits, had been reviewed in its entirety by the? Fire Marshall. 065044?? 045044 o1408Mr. Emrick said, in the near future, it would be necessary to amend?o44Lthe Zoning Ordinance relative to mobile home parks to provide for larger lot?sizes and design of pads for mobile homes since they are constructing larger?mobile homes. He said this would also decrease the density ratio per acre.o65044??045044 01408Mayor Bissette closed the public hearing

at 4:27 p.m. o65044??045044 o1408Councilman Price moved to approve the site plan of the Crownpointe?Mobile Home Park to be located on North Louisiana Avenue, subject to the?conditions outlined by the Planning and Zoning Commission. This motion was?seconded by Councilman Michalove and carried unanimously.o65o44??oE2PUBLIC HEARING 044-081 SITE PLAN OF PROPOSED BARNARD GROVE APARTMENTS TO BE?0E30E3LOCATED ON BARNARD AVENUE oE0oE1o65o44??o45o44 o14086. A public hearing was held relative to a site plan of the? proposed Barnard Grove Apartments to be located on Barnard Avenue.065044??045044 01408Mayor Bissette said the Asheville Planning and Zoning Commission at? a meeting held January 8, 1986, reviewed the site plan of the proposed?Barnard Grove Apartments to be located on Barnard Avenue. The site plan was?prepared by James Samsel, Architect, for Mr. Kerry Kindsey, Developer, and?submitted in accordance with the Group Development Section of the Asheville? Zoning Ordinance. After review and discussion, the Commission voted to? recommend approval of the site plan to City Council subject to: 1)?documentation of access into the site; and 2) compliance with the Erosion? Control Ordinance. The Commission further recommended that parking on one?side only on Fenner Avenue be instituted as soon as possible.o65044??045044 o1408Mayor Bissette opened the public hearing at 4:29 p.m.o65044?? o45o44 o1408The Deputy City Clerk presented the notice to the public setting?the time and date for the public hearing and the affidavit of publication.065044??045044 01408Verl Emrick, Director of Planning, said the project would be in the?vicinity of UNCA, and was reviewed by the Planning and Zoning Commission at?it meeting held on January 8, 1986, and received a recommendation for?approval, subject to documentation of access into the site and compliance? with the Erosion Control Ordinance. He said Jack Westall, Attorney for the?developer, has delivered documentation that access would be available on?Barnard Avenue. He said plans had been submitted to the Engineering?Division for the erosion control plan. He said the project had been? approved by the Fire Marshall. He said the project would consist of 34? units and meets all requirements of the Zoning Ordinance. o65044?? 045044 01408 He showed slides of the property in question. He said the? Commission had recommended that parking on one side only on Fenner Avenue be? instituted as soon as possible. He said the Traffic Engineer had reviewed?the site plan and the site visibility at the access point.o65044??045044 01408Jim Samsel, Architect for the project, said the units would be?rental units with 2 bedrooms.o65o44??o45o44 o1408Mrs. Grahams of Barnard Avenue spoke relative to the project,?stating that she was concerned about erosion control that is currently an? existing problem on Barnard Avenue, and the serious washo44o81off problems this?project may cause. She said the project, as proposed, would cover most of?the land with buildings and parking, and not allow for drainage control.o65o44?o44L?o45o44 o1408Harold Garland, of 88 Fenner Avenue, spoke relative to the project, 065044? stating that the area currently has water problems with volume and pressure,?and this project would add an

additional burden to the water problem, the?current problems with traffic, and would create a hazard for the?

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neighborhood. He said a project such as this should be done in an orderly?fashion.o65o44??o45o44 o1408Jim Samsel said he had received assurance from the Water Department?that the project, as proposed, would have sufficient water pressure. He?said provisions are being made to control the erosion problems that?currently exist and to control any storm drainage that this project would?cause. He said the existing house on the property would be converted into 3? apartments and a new building would contain 7 units.o65o44??o45o44 o1408Upon inquiry of Mayor Bissette, the Acting City Manager said if the?project was approved, he intended to implement parking on one side of Fenner? Avenue.o65o44??o45o44 o1408Mayor Bissette closed the public hearing at 5:00 p.m.o65o44??o45o44 o1408Viceo44o81Mayor Frank moved for the approval of the proposed Barnard?Grove Apartments to be located on Barnard Avenue, subject to the conditions?outlined by the Planning and Zoning Commission. This motion was seconded by? Councilman Price and carried unanimously.o65o44??oE3oE3oE2PUBLIC HEARING o44-o81 PROPOSED ASHEVILLE RETIREMENT CENTER 044-081 HENDERSONVILLE ROAD 0E00E1065044??045044 014087. A public hearing was held relative to the site plan of the?proposed Asheville Retirement Center to be located on Hendersonville Road.o65o44??o45o44 o1408Mayor Bissette said the Asheville Planning and Zoning Commission at?a meeting held January 8, 1986, reviewed the site plan of a proposed? Asheville Retirement Center to be located on Hendersonville Road. The plan?was prepared by Land Design, Inc., Charlotte, N. C., for Oxford Development? Corporation, Charlotte, N. C., Developer, and submitted in accordance with?the Group Development Section of the Asheville Zoning Ordinance. After?review and discussion, the Commission voted to recommend approval of the?site plan to City Council subject to the following: 1) that the site plan?be reviewed as a "Conditional Use" in the Ro44o813 Residential District by the?Board of Adjustment; 2) that the City Council grant a variance to permit?.82 parking spaces per unit as shown on the plans, but that the developer be?able to provide two spaces per unit if necessary; 3) that the nursing home?site be marked off as a future phase of the project; and 4) compliance with?the Erosion Control Ordinance.o65044??o45044 o1408Mayor Bissette opened the public hearing at 5:02 p.m.o65044??o45044 o1408The Deputy City Clerk presented the notice to the public setting?the time and date for the public hearing and the affidavit of publication.o65044??045044 01408Verl Emrick, Director of Planning, said the Planning and Zoning?Commission had reviewed the site plan and recommended approval, subject to?the conditions outlined by Mayor Bissette. He said, subsequently, the Board?of Adjustments had reviewed the project and approved the conditional use for?Oxford Development. He said the project would consist of 292 units in 3?phases.o65o44?o44L?o45o44 o1408He said one of the conditions of the Planning and Zoning Commission? is to permit .82 parking spaces per unit, however, there is enough room on?the property to allow for 2 spaces per unit if necessary. He said

water?would be provided for the complex from Sweeten Creek Road. However, a new?line in the area is contemplated for the future.o65044??045044 01408Larry Ford, Assistant Development Manager, for Oxford Development? Corporation spoke in support of the project stating that the complex would?consist of cottages, residential apartments, assisted living units, and a?nursing home. He said residents would be furnished meals, housekeeping,?laundry, transportation, and emergency medical care. He said he felt the?project would enhance Asheville as a retirement area. He said construction? is scheduled to start July 1. He said the complex would be used for? individuals 65 and over.o65044??045044 01408Mayor Bissette closed the public hearing at 5:19 p.m.o65044??045044 01408Councilman Tisdale moved for the approval of the site plan of the?proposed Asheville Retirement Center to be located on Hendersonville Road,?subject to the conditions outlined by the Planning and Zoning Commission. ?This motion was seconded by Councilman Boland and carried unanimously.o65o44??oE2ORDINANCE NO. 1570 o44-o81 AN ORDINANCE AMENDING ORDINANCE NO. 322, KNOWN AS "AN?ORDINANCE PROVIDING FOR THE ZONING OF THE CITY OF ASHEVILLE," AS AMENDED?0E30E3(HANDICAPPED OFF044-081STREET PARKING REQUIREMENTS) oE0oE1o65o44??o45o44 o14088. Consideration was given to the third reading of Ordinance No.?1570, an ordinance relative to amending the Zoning Ordinance to provide for?handicapped offo44o81street parking requirements.o65o44??o45o44 o1408Mayor Bissette said this wording amendment will provide a? requirement for handicapped offo44-o81street parking. This ordinance passed on?first reading on February 4, 1986, and on second reading on February 11,?1986.065044??045044 o1408Mayor Bissette said this ordinance was previously read on first and?second reading and would not be reread in its entirety unless there was a?specific request to do so.o65o44??o45o44 o1408Donna Cator, Chairperson for the Mayor's Employment of the?Handicapped Committee, extended appreciation to members of Council for the?adoption of this ordinance.o65o44??o45o44 o1408Mr. Lawrence spoke in support of the ordinance, stating that he?felt this particular ordinance would correct defects in a State law for?handicapped parking.o65o44??o45o44 o1408On a roll call vote of 6o44-o810, Ordinance No. 1570 passed on third and?final reading.o65o44??o45o44 o1408Complete text of Ordinance No. 1570 will be found in Ordinance Book?No. oE210oE0 at Page oE2364, 365,oE0 and oE2366oE0.o65o44??oE2RESOLUTION NO. 86044-08128 044-081 RESOLUTION APPROVING THE SALE AND CONVEYANCE OF?CERTAIN ADDITIONAL REAL PROPERTIES LOCATED IN THE PACK PLAZA REDEVELOPMENT?AREA BY THE HOUSING AUTHORITY OF THE CITY OF ASHEVILLE TO PACK PLAZA?044L0E30E3ASSOCIATES LIMITED PARTNERSHIP 0E00E1065044?? 9. Consideration was given to a resolution approving the sale and? conveyance of certain additional real properties located in the Pack Plaza?Redevelopment Area by the Housing Authority of the City of Asheville to Pack?Plaza Associates Limited Partnership.065044??045044 01408Mayor Bissette said the Housing Authority has acquired certain?properties pursuant to the implementation of the Redevelopment Plan for the?Pack Plaza Redevelopment Area. The Housing Authority held a

public hearing? on February 11, 1986, and made certain findings, all pursuant to Sections 2? and 4 of 1979 Session Laws Ch. 317, in order to convey certain parcels in?the Pack Plaza Redevelopment Area to a prospective developer. This?resolution will authorize the sale and conveyance of those properties of the?Pack Plaza Redevelopment Area under the terms and conditions set forth in? the resolution of the Housing Authority of the City of Asheville. 065044?? o45o44 o1408Verl Emrick, Director of Planning, said this would convey the final?two parcels to the Pack Plaza Associates, Ltd. Partnership.o65o44??o45o44 o1408Mayor Bissette said copies of the resolution were previously? furnished to members of Council and it would not be read in its entirety?unless there was a specific request to do so.o65o44??o45o44 o1408Upon motion of Viceo44-o81Mayor Frank, seconded by Councilman Boland,?Resolution No. 86044-08128 was unanimously adopted.065044??045044 01408Complete text of Resolution No. 86044-08128 will be found in Resolution?Book No. oE2oFB15oE0 at Page oE2oFB443oE0.o65o44??oE2RESOLUTION NO. 86044-08129 044-081 RESOLUTION APPROVING CAPITAL IMPROVEMENTS AT THE?0E30E3ASHEVILLE REGIONAL AIRPORT oE0oE1o65o44??o45o44 o140810. Consideration was given to a resolution approving capital? improvements at the Asheville Regional Airport.o65044??045044 o1408Mayor Bissette said this resolution will approve the capital?improvements made at the Asheville Regional Airport by the Asheville?Regional Airport Authority since July 1, 1980, and approves the capital?improvements in respect to an addition to the vehicle storage building, with?a gasoline/diesel fuel station and with related site work at the Asheville?Regional Airport.o65044?? o45o44 o1408Mayor Bissette said members of Council were previously furnished?copies of the resolution and it would not be read in its entirety unless? there was a specific request to do so. 065044?? 045044 01408Upon motion of Councilman Michalove, seconded by Councilman Price,?Resolution No. 86044-08129 was unanimously adopted.o65044??045044 01408Complete text of Resolution No. 86044-08129 will be found in Resolution?Book No. oE215oE0 at Page oE2444oE0.o65o44??oE2RESOLUTION NO. 86o44-o8130 o44-o81 RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO?EXECUTE ON BEHALF OF THE CITY OF ASHEVILLE AN AGREEMENT OF FINAL COMPROMISE?SETTLEMENT AND RELEASE REGARDING THE WORKERS' COMPENSATION CLAIM OF HUBERT?oE3oE3C. ROGERS oE0oE1o65o44?o44L?o45o44 o140811. Consideration was given to a resolution authorizing the?Interim City Manager to execute on behalf of the City of Asheville an?agreement of final compromise settlement and release regarding the Workers'?Compensation Claim of Hubert C. Rogers. o65044?? 045044 01408 Mayor Bissette said on or about September 16, 1982, Hubert C.? Rogers suffered an injury to his back by accident while working on a?transmission on a fire truck. The transmissihe lottery sales in the City of Asheville, the Asheville Police Department, and obtaining records relative to

Mayor Bissette informed Mr. Bishop that the staff would look at the General Statutes to determine whether or not the records are

public records and available for the inspection of the public.

## ATTENDANCE AT NUCLEAR DEPOSITORY MEETING

Mayor Bissette thanked Vice-Mayor Frank and Councilman Tisdale for attending the public hearings on April 4 relative to the nuclear depository site.

## ADJOURNMENT

Upon motion of Councilman Tisdale, seconded by Vice-Mayor Frank, the meeting adjourned at 5:30 p.m.

# MAYOR CITY CLERK

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 $\gamma(\gamma^{\gamma}\gamma\gamma\gamma2.1.5/1.2.5\gamma\gamma\gamma\gamma\gamma2})$ ?????????eading and would not be reread in its entirety unless there was a specific?request to do so. o65044?? o45o44 o1408At the request of the Corporation Counsel, Viceo44-o81Mayor Frank moved to?amend Ordinance No. 1567 incorporating several typographical and language?errors in the ordinance. This motion was seconded by Councilman Boland and?carried unanimously. o65o44??o45o44 o1408On a roll call vote of 6o44-o810, Ordinance No. 1567 passed on secondoFB?reading.o65o44??oE2RESOLUTION NO. 86o44-o8113oFB o44-o81 RESOLUTION **oFBAPPROVING AND CONSENTING TO THE CREATION OF A?SECURITY INTEREST IN AND** COLLATERAL ASSIGNMENT OF THE CABLE TELEVISION?0E30E3FRANCHISE OF AMERICAN CABLE TV INVESTORS TO SECURE INDEBTEDNESS oE1oE0o65o44?oE0oE1o65o44?o45o44 o14086oFB. Consideration was given to a resolution oFBapproving and consenting?to the creation of a security interest in and collateral assignment of the?cable television franchise of American Cable TV Investors to secure? indebtedness.o65o44??o8BoF5o44?o44?o44?o44Lo45o44 o1408Mayor Bissette said American Cable has advised the City that it has?refinanced its cable television properties and has requested approval of the?City Council to the refinancing insofar as it affects the cable television?business of American Cable in the City. o65o44??o45o44 o1408Mayor Bissette said copies of the resolution were previously furnished?to members of Council, and it would not

be read in its entirety unless there?was a specific request to do so.o65o44??o45o44 o1408Upon motion of Councilman Boland, seconded by Councilman Tisdale,?Resolution No. 86o44-o8113 was unanimously adopted.o65o44??o45o44 o1408Complete text of Resolution No. 86o44-o8113oFB will be found in Resolution Book?No. oE2oFB15oE0 at pages oE2oFB422oE0 and oE2423oE0.o65o44??oE2RESOLUTION NO. 86o44-o81oFB14 o44-o81 RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE?NECESSARY DOCUMENTS FOR THE PURCHASE OF VIDEO DISPLAY TERMINALS AND PRINTERS?oE3oE3FOR THE CITY OF ASHEVILLE, DEPARTMENT OF FINANCE, DATA PROCESSING DIVISION oFBoE0oE1o65o44??o45o44 o14087oFB. Consideration was given to a resolution oFBauthorizing the City?Manager to sign the necessary documents for the purchase of video display? terminals and printers for the City of Asheville, Department of Finance, Data?Processing Division.o65o44??o45o44 o1408Mayor Bissette said sealed bids were requested to furnish eleven (11)?video display terminals and two (2) printers for the Data Processing Division. ?Burroughs Corporation in Asheville submitted the lowest responsive bid, meeting?the City's specifications, terms and conditions. The total amount

is?\$22,343.00. Funding for this purchase will be provided from the Data?Processing Division appropriations, Account Code 50o44-o81441o44-o810740.o65o44??o45o44 o1408Mayor Bissette said members of Council were previously furnished?copies of the resolution, and it would not be read in its entirety unless there?was a specific request to do so.o65o44??o45o44 o1408Upon motion of Viceo44-o81Mayor Frank, seconded by Councilman Tisdale,?Resolution No. 86044-08114 was unanimously adopted.065044??045044 01408Complete text of Resolution No. 86044-08114 will be found in Resolution Book?No. oE2oFB15oE0 at page oE2oFB424oE0 and oE2425oE0.o65o44?? 0E2RESOLUTION NO. 86044-0810FB15 044-081 RESOLUTION 0FBAUTHORIZING THE EMPLOYEE SERVICES MANAGER TO?EXECUTE ON BEHALF OF THE CITY OF ASHEVILLE A WORKERS' COMPENSATION AGREEMENT?0E30E3WITH CITY EMPLOYEE, WILLIAM WILMER 0E00E1065044?? o45o44 o1408oFB8. Consideration was given to a resolution oFBauthorizing the Employee? Services Manager to execute on behalf of the City of Asheville a Workers'? Compensation agreement with City employee, William Wilmer.o65044??o45044 o1408Mayor Bissette said on April 16, 1985, William Wilmer, a City?employee, was injured in an accident arising out of and during the course and?scope of his employment with the City. From this accident, the employee?sustained twenty percent (20%) permanent partial disability of the left arm. ?This amountso67-4:00 p.m.oBBo65o44??Regular Meetingo65o44??o45o44 o1408Present: Mayor W. Louis Bissette, Presiding; Viceo44-o81Mayor Mary?Lloyd Frank; Councilmen Wilhelmina Bratton, Walter R. Boland; Kenneth M.?Michalove, Norma T. Price, and George M. Tisdale; Corporation Counsel?William F. Slawter; City Manager Douglas O. Bean; and Associate City?Manager/City Clerk William F. Wolcott, Jr. 065044??045044 01408Absent: Noneo65044?? oE2oE3oE3INVOCATIONoE0oE1o65o44??o45o44 o1408The invocation was given by oFBViceo44-o81Mayor Mary Lloyd Frank.o65o44??oE2oE3oE3OATH OF OFFICE FOR CITY MANAGER DOUGLAS O. BEANoE0oE1o65o44??o45o44 o1408o45o44 1. Mayor Bissette administered the Oath of Office to Douglas?O. Bean as City Manager. 065044?? 045044 01408 Mayor Bissette thanked the Acting City Manager William F.? Wolcott, Jr., for his services since October, 1985.065044??0E20E30E3APPROVAL OF THE MINUTES 044-081 oFBMARCH 25, 1986 MEETINGoE0oE1o65o44??o45o44 o14082. Consideration was given to the approval of the minutes of?the oFBMarch 25, 1986, meeting.o65044??o45044 o1408Mayor Bissette announced the approval of the minutes as? submitted.o65o44??oE2oE3oE3PROCLAMATION o44-o81 "KIDS' SAFETY WEEK" o44-o81 APRIL 7o44-o8113, 1986oE0oE1o65o44??o45o44 o14083.

Mayor Bissette read a proclamation proclaiming April 7044-08113,?1986, as "Kids' Safety Week."o65044??o45044 o1408Mayor Bissette presented the proclamation to Kim Yelton. o65044??oE3oE3oE2PROCLAMATION o44-081 WEEK OF APRIL 13 o44-081 "SPECIAL POPULATIONS WEEK"oE1oE0o65o44??o45044 o14084. Mayor Bissette read a proclamation proclaiming the week of?April 13, 1986, as "Special Populations Week."o65044??o45044 o1408Mayor Bissette presented the proclamation to Grace Walker. o65044??oE2oE3oE3PROCLAMATION o44-081

"BARBERSHOP HARMONY MONTH" 044-081 MONTH OF APRIL, 19860E00E1065044??045044 014085. Mayor Bissette read a proclamation proclaiming the month of? April as "Barbershop Harmony Month." o65044?? 045044 o1408Mayor Bissette presented the proclamation to Mike Phipps, Chorus?Manager for the Asheville Chapter/Land of Sky Chorus. The Asheville? Chapter/Land of Sky Chorus sang for members of Council. o65044?? 08BoF5044? 044L0E30E30E2RECOGNITION FOR OUTSTANDING PLANNING AWARD 044-081 NORMA PRICEoE1oE0o65o44??o45o44 o14086. Mayor Bissette said each year the North Carolina Chapter of?the American Planning Association conducts an award program. This proo44-o01?gram is designed to recognize contributions of individuals and agencies?who have completed outstanding plans, programs, and projects, or have?made notable contributions to the planning profession. These awards will?be presented at the annual meeting of the chapter in Chapel Hill on April?17. The City of Asheville's Planning Department has recently been?notified of the following: o65o44?? o45o44 o1406(1) Norma Price has been selected to be the recipient of the?Outstanding Elected Official Award for her work as Chair of the "Alternao44-o01?tives for Asheville" committee. This award is given to an individual?member of a local governing board in the state who has made outstanding?contributions affecting planning programs or activities. o65044??o45044 o1408(2) The City of Asheville Planning staff has been selected to?receive the Outstanding Planning Award. This award recognizes planners?who initiate, develop, or administer a program, plan, project, or report?of unusually high merit. The staff was selected for the recognition of?the video presentation developed for utilization and its "Alternatives?for Asheville" program.o65o44??o45o44 o1408Mayor Bissette recognized Councilman Norma Price, Patty?Tallerday, Carol Alberice, Al Koph, and Julia Cogburn with the Asheville?Planning Department.o65o44??oE2RESOLUTION NO. 86o44-o81oFB54 o44-o81 RESOLUTION PROCLAIMING THE SECOND WEEK OF APRIL?oE3oE3EACH YEAR AS TELECOMMUNICATOR/RADIO DISPATCHER WEEK oFBoE0oE1o65o44??o45o44 o1408oFB7. Consideration was given to a resolution proclaiming the?second week of April each year as Telecommunicator/Radio Dispatcher Week.o65044??o45044 o1408Mayor Bissette said the professional Telecommunicator/Radio?Dispatcher plays a crucial role in the protection of life and property,?the preservation of society and its laws, and the provision of municipal?services. The Telecommunicators/Radio Dispatchers in the City are highly?dedicated and deeply motivated people who daily serve the citizens of?Asheville in countless ways without due recognition by the beneficiaries?of the services. They are front line contacts with the citizens of?Asheville and the

general public and are uniquely charged with the?responsibility of maintaining citizen satisfaction and a positive image?of the City of Asheville to the general public. This resolution will?proclaim the second week in April of each year to be designated as?"Telecommunicator/Radio Dispatcher Week."o65o44??o45o44 o1408Upon motion of oFBCouncilman Price, seconded by oFBCouncilman Boland,?Resolution No. 86044-0810FB54 was unanimously adopted.o65o44??o45o44 o1408Complete text of Resolution No. 86o44-o81oFB54 will be found in?Resolution Book No. oE216oFBoE0 at page oE2oFB1oE0.o65o44??o45o44 o1408Mayor Bissette presented the resolution to Major Pipitone with?the Asheville Police Department. o65o44??o8BoF5o44?o44LoE2PUBLIC HEARING o44-o81 oFBSITE PLAN OF HAZELWOOD (WEISS) MOBILE HOME PARK, PHASE?oE3oE3II oE3oE3o44-o81 NORTH LOUISIANA AVENUE oE0oE1o65o44??o45o44 o1408oFB8. A public hearing was held relative to oFBa site plan of the?Hazelwood (Weiss) Mobile Home Park, Phase II, to be located on North?Louisiana Avenue.o65o44??o45o44 o1408Mayor Bissette said the Asheville Planning and Zoning Commiso44-o01?sion, at a meeting held February 26, 1986, reviewed the site plan of the? Hazelwood (Weiss) Mobile Home Park, Phase II, to be located on North? Louisiana Avenue. The site plan was prepared by Associated Land? Technologies, Engineer, for Walter Weiss, Developer, and submitted in?accordance with the Group Development Section of the Asheville Zoning?Ordinance. After review and discussion, the Commission voted to?recommend approval of the site plan to City Council subject to: 1)?location of a fire hydrant within the site; 2) removal of four sites on?the front of project to meet density requirement and provide open space;?and 3) compliance with the Erosion Control Ordinance.o65044??o45044 o1408oFBMayor Bissette opened the public hearing at oFB4:40 p.m.o65o44??o45o44 o1408The City Manager presented the notice to the public, setting the?time and date for the public hearing and the affidavit of publication.o65044??045044 01408Verl Emrick, Director of Planning, said the Asheville Planning?and Zoning Commission had reviewed the plans and recommended approval?subject to several conditions.o65044??o45044 o1408Mayor Bissette closed the public hearing at 4:44 p.m.o65o44??o45o44 o1408Councilman Tisdale moved to approve the site plan of the Hazelo44-001?wood (Weiss) Mobile Home Park, Phase II, to be located on North Louisiana? Avenue subject to: 1) location of a fire hydrant within the site; 2)? removal of four sites on the front of project to meet density requirement? and provide open space; and 3) compliance with the Erosion Control? Ordinance. This motion was seconded by Councilman Michalove and carried?unanimously.o65o44??oE3oE3oE2PUBLIC

HEARING 044-081 OFBCLOSING OF PORTION OF UNNAMED ALLEY OFF PEARSON DRIVE0E00E1065044? ?0E2RESOLUTION NO. 86044-08155 044-081 RESOLUTION TO CLOSE A PORTION OF UNNAMED ALLEY OFF?0E30E3PEARSON DRIVE 0E00E1065044??045044 014080FB9. A public hearing was held relative to oFBclosing a portion of?an unnamed alley off Pearson Drive.065044??045044 014080FBMayor Bissette said a petition has been filed by Kathleen Garren?and William Garren, owners of

property adjoining a portion of an unnamed?alley between Madison Street and Gray Street off Pearson Drive, asking? that the portion of this alley adjoining Lots 54 and 59 of Ward 3, Sheet?9 of the Buncombe County Tax Maps be permanently closed to public use. ?Resolution No. 85044-08133, a resolution of intent to close a portion of an? unnamed alley off Pearson Drive, was adopted by City Council on March 4,?1986.065044??08BoF5044?044? o44Lo45o44 o1408Mayor Bissette opened the public hearing at 4:45oFB p.m.o65o44??o45o44 o1408The City Clerk presented the notice to the public, setting the?time and date for the public hearing and the affidavit of publication.o65044??045044 01408Larry Ward, with the Public Works Department, recommended?approval of the resolution.o65044??045044 01408Mayor Bissette closed the public hearing at 4:46 p.m.o65044??045044 01408Mayor BissetteoFB said members of Council were previously furnished?copies of the resolution, and it would not be read in its entirety unless? there was a specific request to do so.o65044?? 045044 014080FBUpon motion of Councilman Boland, seconded by Councilman Price,?Resolution No. 86044-08155 was unanimously adopted.o65044??045044 o1408Complete text of Resolution No. 86044-08155 will be found in?Resolution Book No. oE2150E0 at page oE22oE0.oF5o44???oE2ORDINANCE NO. 15oFB76 o44-o81 AN ORDINANCE AMENDMENT TO APPROPRIATE FUNDS FOR?0E30E3RENTAL REHABILITATION PROGRAM 0E00E1065044??045044 o1408110FB. Consideration was given to a budget ordinance amendment to?appropriate funds for the Rental Rehabilitation Program. o65044??045044 01408Mayor Bissette said this budget ordinance will appropriate funds?for the Rental Rehabilitation Program which is administered by the? Housing Authority and the City of Asheville and is grantee for funds?provided by HUD. This will appropriate grant funds in the amount of?\$118,000 which has been approved by HUD.065044??045044 01408Marvin Vierra, with the Community Development Department,?explained the details of the Rental Rehabilitation Program stating that?funds would be used for capital improvements only. o65o44??o45o44 o1408Mayor Bissette said members of Council were previously furnished?copies of the ordinance and it would not be read in its entirety unless?there was a specific request to do so.o65o44??o45o44 o1408Councilman Michalove moved for the adoption of Ordinance No.?1576. This motion was seconded by Viceo44-o81Mayor Frank. o65o44??o45o44 o1408On a roll call vote of 7o44-o810, Ordinance No. 15oFB76 passed on oFBfirst?and final reading.o65o44??o45o44 o1408Complete text of Ordinance No. 15oFB76 will be found in Ordinance?Book No. oE2oFB11oE0 at page oE2oFB1oE0.o65o44??o8BoF5o44?o44?o44?o44?o44?o44?o44?o44?o44AcE2ORDIN ANCE NO. 15oFB77 044-081 BUDGET ORDINANCE AMENDMENT FOR FISCAL YEAR 1986?0E30E3OPERATING ASSISTANCE GRANT (TRANSIT AUTHORITY) oE0oE0o65o44?oFBoE0oE1o65o44?o45o44 o140812oFB. Consideration was given to a budget ordinance amendment for?fiscal year 1986 Transit Authority Operating Assistance Grant.065044??045044 01408Mayor Bissette said due to an Asheville Transit Authority?liability insurance increase and contracted transportation services with?the American Red Cross, the City must request additional funds from UMTA.065044??045044 01408Carl

Ownbey, with the Asheville Transit Authority, explained the?need for the additional funds from UMTA.o65o44?? o45o44 o1408Mayor Bissette said members of Council were previously furnished?copies of the ordinance and it would not be read in its entirety unless?there was a specific request to do so.o65o44??o45o44 o1408Councilman Boland moved for the adoption of Ordinance No. 1577. ?This motion was seconded by Councilman

Tisdale.065044??045044 01