

Tuesday - March 4, 1986 - 4:00 p.m.

Regular Meeting

Present: Mayor Louis Bisette, Jr., Presiding; Vice-Mayor Mary Lloyd Frank; Councilmen Wilhelmina Bratton, Norma T. Price, Walter R. Boland, Kenneth M. Michalove and George M. Tisdale ; Corporation Counsel William F. Slawter; Acting City Manager William F. Wolcott, Jr.; Deputy City Clerk Carol Hensley.

Absent: None

INVOCATION

The invocation was given by Mayor Bisette.

APPROVAL OF THE MINUTES - FEBRUARY 25, 1986 MEETING

1. Consideration was given to the approval of the minutes of the February 25, 1986 meeting.

Mayor Bisette announced the approval of the minutes as submitted.

PROCLAMATION - MARCH, 1986 - "DRUG AWARENESS MONTH"

2. Mayor Bisette read a proclamation proclaiming March, 1986 as "Drug Awareness Month".

PROCLAMATION - MARCH 3-9, 1986 - "VOLLEYBALL WEEK"

2a. Mayor Bisette read a proclamation proclaiming the week of March 3 to March 9 as "Volleyball Week".

Ray Kisiah, Director of Parks, Recreation, and Public Facilities Department, said the Asheville Volleyball Club and the Asheville Parks, Recreation, and Public Facilities Department is sponsoring the "Hi Neighbor" Volleyball Tournament in the City of Asheville on Saturday, March 8 at eleven locations with finals on Sunday, March 9 at U.N.C.-A., Justice Gymnasium. He said the tournament has grown into one of the largest volleyball tournaments in the country, second only to the National U.S.V.A.A. Championships, with 115 teams this year from 12 states and the District of Columbia.

Donny Luke, with the Asheville Volleyball Club, said this tournament would make Asheville the center for volleyball tournaments, and provides the best volleyball tournaments in the East Coast. He presented members of Council with a "Hi Neighbor" Volleyball T-shirt.

ORDINANCE NO. - AN ORDINANCE AMENDING ORDINANCE NO. 1226 OF THE CODE OF ORDINANCES OF THE CITY OF ASHEVILLE

3. Consideration was given to an ordinance amending Ordinance No. 1226 of the Code of Ordinances of the City of Asheville.

Mayor Bisette said this ordinance will amend the dog licensing tax ordinance to provide for civil penalties.

The Acting City Manager requested that action on this ordinance be postponed until March 11, 1986 due to several discrepancies that need to be cleared up.

It was the consensus of Council to postpone action on this ordinance until March 11, 1986.

ORDINANCE NO. 1574 - AN ORDINANCE AMENDING ORDINANCE NO. 322 KNOWN AS "AN ORDINANCE PROVIDING FOR THE ZONING OF THE CITY OF ASHEVILLE" AS AMENDED - PROPERTY LOCATED ON KNIGHT PLACE (ACE APPLICANCE PETITION)

4. Consideration was given to the second reading of Ordinance No. 1574, an ordinance amending Ordinance No. 322 known as "an ordinance providing for the zoning of the City of Asheville" as amended, property located on Knight Place (Ace Appliance petition).

Mayor Bissette said the Asheville Planning and Zoning Commission, at a meeting held July 10, 1985, considered the petition of Mr. Wayne Smith, of Ace Appliance, that Ward 5, Sheet 6, Lot 99-1/4, be rezoned from R-3 Residential District to CS Commercial Service District. The property is located behind Ace Appliance on Knight Place. After review and discussion, the Commission voted to recommend to City Council that Ward 5, Sheet 6, Lot 99-1/4 and Lot 99 be rezoned from R-3 Residential District to CS Commercial Service District. At the Council meeting of August 13, 1985, the petitioner withdrew his request for rezoning. Ace Appliance now wishes for the requested rezoning to be heard by City Council. This ordinance passed on first reading at the February 25, 1986 meeting.

Mayor 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.

A representative from Ace Appliance Company requested that Council consider the second and third readings of this Ordinance at today's meeting.

On a roll call vote of 7-0, Ordinance No. 1574 passed on second reading.

Councilman Michalove moved to suspend the rules and proceed to the third and final reading of Ordinance No. 1574. This motion was seconded by Councilman Bratton and carried on a voice vote of 6-1, with Councilman Price voting "no".

On a roll call vote of 7-0, Ordinance No. 1574 passed on third and final reading.

Complete text of Ordinance No. 1574 will be found in Ordinance Book No. 10 at page 371 and 372.

ORDINANCE NO. 1572 - AN ORDINANCE AMENDING ORDINANCE NO. 322 KNOWN AS "AN ORDINANCE PROVIDING FOR THE ZONING OF THE CITY OF ASHEVILLE," AS AMENDED - PROPERTY LOCATED ON LEICESTER HIGHWAY (MR. WAYNE HAWKINS)

5. Consideration was given to the third reading of Ordinance No. 1572, "an ordinance providing for the zoning of the City of Asheville", as amended, property located on Leicester Highway (Mr. Wayne Hawkins).

Mayor 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 R-3 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 R-3 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. This ordinance passed on first reading at the February 18, 1986 meeting and on second reading on February 25, 1986.

Mayor 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.

On a roll call vote of 7-0, Ordinance No. 1572 passed on third and final reading.

Complete text of Ordinance No. 1572 will be found in Ordinance Book No. 10 at page 368 and 369.

RESOLUTION NO. 86-33 - RESOLUTION OF INTENT TO CLOSE A PORTION OF AN UNNAMED ALLEY OFF PEARSON DRIVE AND SCHEDULING A PUBLIC HEARING FOR APRIL 8, 1986

6. Consideration was given to a resolution of intent to close a portion of an unnamed alley off Pearson Drive and

scheduling a public hearing for April 8, 1986.

Mayor 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.

Upon motion of Councilman Tisdale, seconded by Vice-Mayor Frank, Resolution No. 86-33 was unanimously adopted.

Complete text of Resolution No. 86-33 will be found in Resolution Book No. **15** at page **450**.

SALE OF DISPOSAL PARCEL 3 - EAST END/VALLEY STREET COMMUNITY IMPROVEMENT PROJECT

7. Consideration was given to a motion approving the sale of Disposal Parcel 3 in the East End/Valley Street Community Improvement Project.

Mayor Bissette said the Housing Authority has tentatively accepted the following bids for certain disposal parcels in the East End/Valley Street Community Improvement Project.

PARCEL REUSE PRICE BID REDEVELOPER

3 Commercial \$15,250.00 \$15,250.00 Floral Design Unlimited

of Asheville, Inc.

Disposal Parcel 3 is a commercial site located in the East End/Valley

Street Community Improvement Program Area. The proposed development will consist of a 2,500 square foot building designed for use as a

flower shop, adequate parking and appropriate landscaping.

Councilman Bratton moved to approve the sale of Disposal Parcel 3 as recommended by the Housing Authority. This motion was seconded by Councilman Price and carried unanimously.

ALLEN CENTER ACQUISITION AND REHABILITATION BY ROBERT W. MAYHEW

8. Councilman Tisdale requested that the Mayor write a letter to Robert W. Mayhew, on behalf of City Council, expressing Council's appreciation for his acquisition and renovation of the Allen Center on College Place.

RESOLUTION NO. 86-34 - RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE ASHEVILLE AREA CHAMBER OF COMMERCE FOR SERVICES PROMOTING GENERAL INDUSTRIAL GROWTH AND GROWTH OF THE TRAVEL AND TOURISM INDUSTRY

9. Consideration was given to a resolution authorizing the Mayor to execute an agreement with the Asheville Area Chamber of Commerce for services promoting general industrial growth and growth of the travel and tourism industry.

Mayor Bissette said the Asheville Area Chamber of Commerce has presented an agreement to the City of Asheville to provide certain services during fiscal year '85-'86 to the City for public purposes. He said the City Council has appropriated non-tax funds in the amount of \$37,542.00 for the services. He said this resolution would authorize the execution of said agreement.

Upon motion of Councilman Bratton, seconded by Councilman Michalove, Resolution No. 86-34 was unanimously

adopted.

Complete text of Resolution No. 86-34 will be found in Resolution Book No. **15** at page **451**.

CLAIMS - PISGAH FISH CAMP (SEWER) - PATTY EARWOOD (WATER) - RUMORS BEAUTY SALON (SEWER)

10. The Acting City Manager presented claims received from Pisgah Fish Camp, Patty Earwood, and Rumors Beauty Salon.

Mayor Bissette referred the claims to the Corporation Counsel for investigation and recommendation.

REPORT RELATIVE TO PROPERTY AT 76 LANVALE AVENUE

11. The Acting City Manager said on February 25, 1986, that members of Council were presented a petition relative to the property at 76 Lanvale Avenue on February 25, 1986.

Major Breedlove, with the Asheville Police Department, said he felt the problems at 76 Lanvale Avenue had been settled. However, if drastic physical improvements are not made to the dwelling such a condition is very possible to result again.

Lem Moore, Director of Building Inspections, said steps had been taken last week, after the Police Department had visited the house, and the house had been vacated, for inspections to be made at 76 Lanvale Avenue. He said after inspections were made sufficient grounds were evident to condemn and post the dwelling as a health and safety hazard. He said he had talked to the owner of the dwelling, and had been assured that he would take immediate steps to correct the problems.

Gary Fields, of 86 Lanvale Avenue, thanked members of Council for their expeditious action on their request.

RALPH BISHOP - ASHEVILLE POLICE DEPARTMENT - LOTTERY SALES

Ralph Bishop again spoke to members of Council relative to the Asheville Department and lottery sales in the City of Asheville.

ADJOURNMENT

Upon motion of Councilman Tisdale, seconded by Councilman Boland, the meeting adjourned at 4:35 p.m.

MAYOR CITY CLERK
